

# INDIVIDUALS

## IND375 – Christopher Dapkins

S-1616

20140404-5238 FERC PDF (Unofficial) 4/4/2014 3:54:50 PM	
IND375-1	<p>Christopher Dapkins, Delhi, NY.</p> <p>I believe that FERC's DEIS on the Constitution Pipeline is incomplete because it does not contain sufficient detail regarding the mitigation measures proposed to counterbalance the adverse environmental impacts caused by this project. FERC should extend the deadline to obtain and review ALL documentation of mitigation measures before a certificate is issued.</p>
IND375-2	<p>In the first sentence of the DEIS, FERC concludes that the construction and operation of the Constitution Pipeline will have adverse environmental impacts. Then, FERC goes on to say that the mitigations laid out by Constitution are sufficient to reduce these impacts to insignificance. The DEIS references the measures that Constitution will take and recommends additional measures, which include plans, written documents etc. which will be reviewed AFTER FERC certifies the project. The adverse environmental impacts are broad in the sense that they could potentially affect the ecosystems of the areas in pipeline construction and operation corridor and well beyond. It appears that the DEIS has insufficient documentation of mitigation plans, (in some cases, no documentation at all,) to conclude that the project will have no significant impacts.</p>
IND375-3	<p>As outlined in the DEIS, the Pipeline will cross 19 designated aquifers, 277 water bodies, 124 of those are year round. 96 are intermittent and 57 are ephemeral. 97 support trout populations 13 wetlands will be filled permanently and one temporarily. Although FERC recommends site specific plans for permanent access roads crossing wetlands and associated water bodies, no plans were required as part of the DEIS.</p> <p>Information about drainage patterns, flood risk identification should be more prominently and specifically analyzed. Hanford Mills an historic working water driven mill and museum is located on Kortright Creek. Kortright Creek could be affected by flash flooding from streams draining the construction areas. Damages to the hamlet of East Meredith including Hanford Mills could be a potential adverse impact. In addition, the Mill could be affected by water withdrawals for hydrostatic testing. especially during the summer months when water levels are low and the Mill has the highest volume of museum visitors.</p>
IND375-4	<p>The DEIS states that 22,708,949 gallons of water would be needed for hydrostatic testing, but does not require documentation of estimated withdrawals for each of the streams mentioned nor the timing of the withdrawals. Although the DEIS mentions that water withdrawals have to be approved by the DEC, it would seem that FERC should consider the impact of these withdrawals as part of the DEIS. Much of the project would be constructed on ridge tops, with steep slopes.</p>
IND375-5	<p>Access roads to these locations must be constructed or improved. Culverts will be laid and wetlands will be crossed. From reading the DEIS, it was very difficult to understand where these access roads (all 41,240 feet of them) will be either built or improved in Delaware County towns crossed by the pipeline. These are not tractor paths. They must support huge machinery. How will these roads affect the drainage of town roads? During the period of construction, the earth would be laid open and drainage patterns changed, potentially placing the area at risk for additional flooding, particularly flash flooding.</p>
IND375-6	<p>The entire "footprint" of the project, during construction and operation should be considered. The impact on water quality and quantity, including elevated sediment in some very pristine streams from construction run off and impacts on fisheries by water withdrawals should be analyzed in a more integrated manner, with the focus on cumulative impacts. In addition, it was very unclear how the water withdrawals would be made and what impacts these withdrawals might have on water systems, whether privately owned, or municipal.</p>
IND375-7	<p>The highlands area in the border between Franklin and Davenport is a known flyway for eagles and hawks. The high forested wetlands along the route are</p>

IND375-1	See response to comment FA1-1.
IND375-2	See the response to comment FA4-51 regarding Constitution's mitigation plans.
IND375-3	The proposed project would cross Kortright Creek more than a mile from Hanford Mills. In addition, the crossing of Kortright Creek would be downstream of Hanford Mills. Also Hanford Mills draws water from the ponded area of Kortright Creek just outside of the mill. As discussed in section 4.3.6 of the EIS, Constitution would maintain base flow for all waterbodies used for hydrostatic testing. In addition, we are recommending that Constitution file written approval from the NYSDEC allowing water withdrawal from Oquaga, Ouleout, Kortright, and Schoharie Creeks, as well as listing any timing restrictions that would be placed on water withdrawals at those locations. For these reasons, impacts on Hanford Mills from the proposed projects are not expected.
IND375-4	As stated in section 4.3.3.5 of the EIS, hydrostatic test water would be withdrawn between December 2014 and March 2015. Table 4.3.3-5 of the EIS provides estimates of hydrostatic water needed from each waterbody.
IND375-5	As stated in section 4.8.1.5 of the EIS, the proposed access roads are listed in appendix E. The access roads are also depicted on the maps in appendix B of the EIS. Constitution would be required to manage stormwater runoff from access roads.
IND375-6	See the response to comments CO1-5 and IND113-1 regarding flooding. See the response to comment FA4-24 regarding hydrostatic testing.
IND375-7	Section 4.4 of the EIS has been revised to provide additional information regarding filling of wetlands. See the response to comment CO50-79 regarding enforcement of our agricultural mitigation measures.

# INDIVIDUALS

## IND375 – Christopher Dapkins (cont'd)

20140404-5238 FERC PDF (Unofficial) 4/4/2014 3:54:50 PM

IND375-7  
cont'd

unusual and the impact of heavy equipment on these fragile areas would be difficult to mitigate. Trees would be cut down and wetlands filled temporarily and some cases, permanently. (FERC doesn't like this, but isn't requiring the alternative as part of the DEIS.) The idea that machinery will not make more than a 4 inch rut on agricultural land is preposterous. Ask any farmer in the area about "mud season", which also coincides with the construction season. More realistic mitigation measures should be required to protect agricultural land.

IND375-8

As I understand it, FERC is charged with issuing a certificate of public necessity and convenience. It cites the need for cleaner, cheaper energy in the large metropolitan areas of New York and Boston, and concludes that the pipeline would meet this need. It also cites some preliminary discussions with other entities to construct feeder pipelines to bring gas to businesses and other facilities in the small communities in the area. What would assure these customers that once they convert to gas, that this fuel will remain affordable? With huge pressure on global oil and gas markets, what guarantee do local customers have that they wouldn't see natural gas skyrocket, as it heads to Europe? Just because there are no LNG facilities nearby doesn't mean one won't be built, here or in Canada.

The promise of cheap natural gas for local customers, or for any customer in the northeast, may be a "pipe" dream. They may invest lots of money to convert to natural gas only to have it double in price in 5 years. A much clearer commitment to serving local energy needs at a sustained, affordable price must be demonstrated. The proposed Constitution Pipeline would be privately owned and managed. Once up and running, it will respond to market conditions. The residents and businesses of the area should have greater assurance that affordable gas will be provided over time.

IND375-8

See the response to comment IND205-3.



# INDIVIDUALS

## IND376 – Stuart Anderson

S-1618

20140404-5242 FERC PDF (Unofficial) 4/4/2014 3:59:21 PM	
Stuart Anderson, Otego, NY. ORANGE DEBACLE REVEALS CONSTITUTION'S ULTIMATE FLAW	
IND376-1	<p>If we strip away all the noise and distractions created by the wannabe-pipeline-workers in orange shirts bussed in to the FERC hearings on the Draft Environmental Impact Statement this week, some startling and disturbing conclusions become obvious.</p> <p>The orange debacle has made clear Constitution Pipeline's understanding that the level of public support for the pipeline along the pipeline route is abysmally low. If Constitution Pipeline had not packed the hearing rooms with their orange shirt mobs, the opponents of the pipeline would have outnumber supporters by 4 to 1 or 5 to 1 or even more. The only locals interested in supporting the pipeline are those who'd like to see the region fracked, and a majority of the towns in the region have used home rule to prohibit fracking. Constitution Pipeline knows they have a weak local base, so they've chosen to disrupt the public hearings to mask that weakness.</p>
IND376-2	<p>The orange debacle has clearly demonstrated that Constitution Pipeline will resort to whatever tactics is deems necessary to have its way. Bullying the locals is part of their modus operandi. They have no problem with bussing in agitators from more than a hundred miles away in their vain attempts to demonstrate "public support" for their project. Squelching legitimate public discussion is an acceptable activity. In doing so, Constitution Pipeline has proven that FERC should pay close attention to Constitution Pipeline's long history of environmental disregard (as evidenced by over \$2,000,000,000 in fines in the past few years), and take Constitution Pipeline's promises to obey any and all environmental restrictions with a shovel full of salt. Constitution Pipeline has proven that truth and promises will not be obstacles in their pursuit of corporate profits.</p>
IND376-3	<p>The Constitution Pipeline has no merits on environmental grounds--the best Constitution Pipeline can promise to do is "mitigate" by doing environmental good deeds somewhere else, and doing as little damage as possible along the route. Is this a high enough goal to merit a determination of "public convenience"? No, it is in fact recognition of a great public inconvenience. Superstorm Sandy was a great public inconvenience. Rising sea levels are a great public inconvenience. Exploding pipelines and compressor stations are great public inconveniences. Any expansion of our nation's fossil fuel infrastructure is a promotion of climate change, and therefore constitutes a grave public inconvenience. Other than shareholders, how does Constitution Pipeline serve as a "convenience" for the general public, especially if the gas is bound for export?</p>
IND376-4	<p>Certainly, if Constitution Pipeline had managed to conjure up some great environmental benefits, they would have trumpeted them from the rooftops; but the best they could come up with is the decline in American CO2 emissions that has been coincident with the shale gas expansion; they take full credit for this positive change, ignoring other major contributors such as the biggest recession since the 1930s, improved gas mileage and reduced driving miles for our auto fleet, and the rapidly increasing adoption of renewable energy resources. They also ignore solid evidence that fugitive emissions from the methane industry may actually make natural gas as bad as coal, or even worse, in terms of effects on global climate change. Environmentally, Constitution Pipeline is a no-win proposal.</p>

IND376-1	The commentor's statements regarding the comment meetings are noted. See the response to comment CO50-108.
IND376-2	The commentor's statements regarding bullying are noted. See the response to comment CO47-1 regarding Williams's safety record. See also the response to comment FA4-12 regarding compliance with permit requirements through our third-party monitoring program.
IND376-3	See the response to comment LA7-5 regarding public necessity and export. See the response to IND13-3 regarding safety. See the response to comment SA6-1 regarding climate change.
IND376-4	See the response to comments CO50-55, IND10-5, and IND106-1 regarding the benefits of the proposed projects.

INDIVIDUALS

IND376 – Stuart Anderson (cont'd)

20140404-5242 FERC PDF (Unofficial) 4/4/2014 3:59:21 PM

IND376-5 |The Constitution Pipeline folks know that they flunk the environmental test, so they've chosen to disrupt the public hearings so that no one else will have an opportunity to point their failure out. Please do not let their bullying tactics distract you from that simple fact. Please report to the Commissioners that the EIS team finds no environmentally sound reasons for construction of the Constitution pipeline.

IND376-5      The commentator's statements in opposition are noted.

# INDIVIDUALS

## IND377 – Mary Colleen McKinney

20140404-5301 FERC PDF (Unofficial) 4/4/2014 4:55:13 PM

Mary Colleen McKinney  
476 Poplar Hill Rd.  
Unadilla, NY 13849

April 4, 2014

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington St., Bldg. 10, 3<sup>rd</sup> Fl.  
Watervliet, New York 12189-4000

Re: Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR

IND377-1

I oppose this pipeline for many reasons, not least of which is that it would pave the way for fracking in New York. I don't want this toxic process in the Western Catskills, where my husband and I own land and a house and expect to spend our lives. I don't want this toxic process happening anywhere.

The current DEIS states: "Fracking involves the injection of fluids and sand under high pressure to fracture the shale around the wellbore, thus enabling the flow of natural gas to the well."

This is a gross misrepresentation of the highly destructive process called fracking. I ask that the DEIS be updated to reference the millions of gallons of water required for the process, the hundreds of chemicals (many of them cancer causing) necessary to frack each well, the off-gassing of methane and radon during the drilling process, and the potential for post-drilling earthquakes, even in regions not known for earthquakes in recent history.

In countless scoping comments to the FERC in late 2012, New York landowners and concerned citizens asked that the DEIS for the proposed Constitution Pipeline (CP) consider and address the potential adverse effects—on our health, our environment and our economy—of hydraulic fracturing (fracking) that the building of CP would invite to New York state. We asked this because CP would be—as the companies that jointly own CP have indicated to their investors—infrastructure for fracking.

The DEIS does not address the impacts of the extremely probable start and continuation of fracking in New York should the CP be built. DEIS should address all of the following:

- There could be 16 wells per square mile per shale formation. CP would sit atop two formations, the Utica and Marcellus shales, so there could be 32 wells per square mile.
- The average size of each well pad is 3.5 acres, plus access roads and gathering lines.
- It would take around 6,700 truck trips to construct ONE pad and frack ONE well.

IND377-1

See the response to comments LA1-4 and FA4-45 regarding hydraulic fracturing.

INDIVIDUALS

IND377 – Mary Colleen McKinney (cont’d)

20140404-5301 FERC PDF (Unofficial) 4/4/2014 4:55:13 PM

IND377-1  
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- Where would the drill cuttings and wastewater go? According to the DEIS, "Pennsylvania well-drilling industry agreed to cease taking flowback water to waste treatment plants lacking the appropriate technology to remove TDS (Total Dissolved Solids, or pollutants of concern)." Then what *does* industry do with the flowback water? It can only be recycled for drilling so many times. Then the drilling is done. Where does the contaminated water go? This is not addressed by DEIS.
- A pipe must be laid from each well to a transmission line.
- Compressor stations are located every 2 to 4 miles along major gathering lines.

As Patricia Desnoyers of the NYS DEC stated in a motion to intervene in July 2013: "Since the location of the proposed Project route has a high potential for development of natural gas extraction from Marcellus and Utica Shale formations, as indicated in the revised *NYSDEC draft Supplemental Generic Environmental Impact Statement on the Oil, Gas and Solution Mining Regulatory Program, September 7, 2011*, the draft EIS must evaluate the cumulative environmental impacts associated with these potential activities."

Please heed Ms. Desnoyers' demand. Require an evaluation of the reasonably foreseeable arrival of fracking in New York should this pipeline be built, and the attendant full infrastructure build-out and its cumulative environmental impacts.

Sincerely,  
  
Mary Colleen McKinney

INDIVIDUALS  
IND378 – Michael Stolzer

20140407-5002 FERC PDF (Unofficial) 4/4/2014 5:01:18 PM	
IND378-1	<p>The following is from the environmental analysis in the DEIS...</p> <p><i>"The conclusions in the EIS are based on our analysis of the environmental impact and the following assumptions:</i></p> <ul style="list-style-type: none"><li><i>• the Applicants would comply with all applicable laws and regulations;</i></li><li><i>• the proposed facilities would be constructed as described in section 2.0 of the EIS; and</i></li><li><i>• the Applicants would implement the mitigation measures included in their applications and supplemental submittals to the FERC and cooperating agencies, and in other applicable permits and approvals."</i></li></ul> <p>Any assumption is an inadequate basis for a conclusion, and this assumption is particularly unfounded. I would like to see a thorough examination of the myriad violations and infractions that Williams Companies has committed. If it were a drivers license in question here, it would have been revoked or suspended long ago. Oh yes, and by the way, their partner in the proposed project, Cabot Oil &amp; Gas, did have their "license suspended" in Dimmock PA.</p> <p>Yet the FERC is willing to assume that these companies who have repeatedly and knowingly violated laws and regulations and whose actions and inactions have exhibited complete disregard for environmental concerns (many of which translate directly to mean Human Health And Well-Being) can be trusted to self-regulate.</p> <p>I call into question the ability of those who drafted the DEIS to exercise sound judgement, and request an inquiry into this conclusion and that it be declared invalid.</p>

IND378-1      See the response to comment CO47-1 regarding safety. In addition see the response to comment FA4-12 regarding our third-party monitoring program.

INDIVIDUALS

IND379 – Patty Woodbury

20140407-5004 FERC PDF (Unofficial) 4/4/2014 5:19:19 PM

IND379-1

Patty Woodbury, North Reading, MA.  
A petition has been circulated and signed by the residents of Park St., Damon St. and Gould St in North Reading, MA unanimously expressing opposition to the proposed Tennessee Gas Pipeline in our area.  
Big companies have NO right to infringe on the environment and residences that have owners who are opposed to such an imposition.  
We live near conservation land, wetlands, recently surveyed historical Wampanoag camp sites. WE are not allowed to disrupt any of these sites and no big company because they have the funding to do so should be allowed either. These are protected areas and should remain so.  
The safety issues associated with such a project are overwhelming and are of primary concern. Reading in the newspaper that the company is "very sorry" after an explosion is of no comfort to anyone. This is a danger to all of us and should not be allowed.  
I have lived in MA all of my life and have been able to enjoy the environment as well as my home.  
Please count me in as being one who is adamantly opposed to any fracking or pipeline construction in my beautiful state.  
I also support people in other states who feel the same way.  
Thank you.

IND379-1

The commentor’s opposition to the Northeast Expansion Project is noted.



# INDIVIDUALS

## IND380 – Michael Stolzer

20140407-5005 FERC PDF (Unofficial) 4/4/2014 5:12:00 PM	
IND380-1	<p>According to the draft EIS one of the purposes of the proposed projects, “ based on information provided by Constitution and Iroquois” is to “provide opportunities to improve regional air quality by utilizing cleaner burning natural gas in lieu of fuel oil in existing and future residential commercial and industrial facilities, thereby reducing greenhouse gas emissions and other pollutants”. This deceptive bit of misinformation has been imposed on all of us by way of the gas industries massive television ad campaigns. It has been repeated by Obama in the State of the Union address, by our local newspaper, by other local advocates of the gas industry’s agenda, and it has been repeated by the FERC in this draft EIS.</p> <p>It is clear to anyone who takes the time to research clean energy, that the science on this topic is in. <u>Gas is not clean energy!</u> The well known study by Howarth and Ingrafia, which is corroborated by the findings of the National Oceanic and Atmospheric Administration, is currently considered to be the best science on the subject.</p> <p>Studies by their critics (Cathles et al and the University of Texas studies), used to attempt to refute their findings have been de-bunked. Cathles et al included only gas used for the generation of electricity, omitting gas used for heating, and completely disregarding the extremely significant short term effect of methane as a greenhouse gas, suggesting that their intention is only to deceive. The University of Texas Study was withdrawn after it’s numerous flaws (resulting from the gas industry backers cherry-picking which gas wells would be included in the study) were exposed. More industry efforts to deceive the public.</p> <p>Yes, gas burns cleaner. But, the pollution created from the acquisition and transport of the gas makes it as dirty or dirtier than coal or oil. The continued assertion that gas is clean energy is a lie, deceiving the public as we race toward the tipping point so many climate scientists are warning us about.</p> <p>The following statement by FERC in the DEIS is cause for grave concern,</p> <p>“The burning of natural gas at power plants to produce electricity also results in reduced air emissions compared to other fossil fuels, such as coal and fuel oil. According to the EPA (2013a), natural gas produces at least 50 percent less carbon dioxide (CO2), almost 70 percent less nitrogen oxides (NOx), and about 99 percent less sulfur oxides compared to a coal-fired power plant. Since the 1990s, the transition to natural gas fueled power plants in New England has substantially decreased dependence upon the formerly pre-dominant energy sources of fuel oil, coal, and nuclear energy (ISO-New England 2012). If the no action alternative were adopted, then air emissions could be increased if other sources of energy were used. Other energy alternatives are discussed below in section 3.1.2.”</p> <p>This is just another repetition of the deception that the gas industry is perpetrating to lie to the public, and leaves only two possibilities to explain why FERC has repeated it here. 1) The appointees at FERC are uninformed, in which case they should obtain all of the pertinent information on the subject and reanalyze their position on the Deis, or 2) (and far worse) they are fully informed and are party to the gas industry’s campaign of misinformation.</p> <p>Please explain to me how you can ignore the preponderance of scientific studies that indicate that we are in urgent need of reducing greenhouse gas emissions and lead the American people down a path that potentially puts the entire future at risk.</p>

IND380-1      See the responses to comments CO26-19 and IND21-7.

# INDIVIDUALS

## IND381 – Kathy Shimberg

20140407-5007 FERC PDF (Unofficial) 4/4/2014 5:38:34 PM

Comment of Kathy Shimberg  
P.O. Box 562  
Mt. Vision, NY 13810  
Registered Intervenor, Accession No. 20130717-5300

April 4, 2014

Kimberly D. Bose, Secretary The FERC 888 First Street NE, Room 1A Washington, D.C. 20426	US Army Corps of Engineers New York District, CENAN-OP-R Upstate Regulatory Field Office 1 Buffington Street, Bldg. 10, 3rd Floor Watervliet, New York 12189-4000
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Re: Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR

IND381-1 I am submitting herewith this update amending the 4-page written comment I handed in to FERC's Kevin Bowman and USACE's Amy Gitchell, following my excerpted oral testimony at the hearing in Oneonta, NY on April 1, 2014:

I have read many of the comments submitted by others who are deeply concerned about the impacts, both direct and indirect, immediate and cumulatively over the longer term, that the Constitution Pipeline's construction and operation will have on our own area of upstate New York, as well as the area(s) of Pennsylvania where industrial gas-extraction, processing, compression, and transport in and from the Marcellus shale have taken over the countryside and lives of inhabitants who enjoyed peaceful neighborly and community, and healthful existence until recently. Their concerns are substantive, substantial, numerous, and very serious.

I would also like to call attention to the egregious behavior of many union members who were apparently urged to attend and be as disruptive as they were at all four of this week's public hearings, apparently by Williams Company's employee Matt Swift, who then denied encouraging their actions, which were observed (possibly with dismay) by the FERC and USAC representatives present. Other commenters have also described the intrusions at all the hearings, which included not only disruptive interruptions, cat-calls and hooting but also interpersonal intimidation of people whose comments oppose the Constitution Pipeline. These laborers were concerned with promised jobs (which may or may not materialize), many not even aware that the hearing concerned environmental considerations, and had no idea what the DEIS was, what FERC is, etc. They were given dinner vouchers and bussed from distances all over NY state to attend the hearings, were given caps and identifying orange t-shirts displaying "Constitution Pipeline" and their union's local ID, and usurped valuable time from people (on both sides of the pipeline, supporters and non-supporters alike) who had legitimate comments to make on the DEIS. Their nastiness mirrors some of the intimidations many of the landowners along the proposed route have suffered from Constitution's representatives intent on surveying their land (and sometimes trespassing when the landowners weren't present), and/or untruthfully using the threat of "certain eminent domain" [perhaps unfounded, but at least unknown, not actually certain at all] for those who refuse to sign Right of Way easements w/ Constitution, to the

IND381-1 The commentor's statements regarding the comment meetings are noted. See the response to comment CO50-108 regarding the comment meetings.

# INDIVIDUALS

## IND381 – Kathy Shimberg (cont'd)

S-1626

20140407-5007 FERC PDF (Unofficial) 4/4/2014 5:38:34 PM	
IND381-1 cont'd	landowners' detriment. FERC should consider that we don't want people in our communities who behave this way working on pipeline construction, operation, or maintenance.
IND381-2	We were reminded at the start of the Oneonta hearing this week that the FERC representatives were there to receive our comments on the DEIS issued on February 12, 2014, and were assured that each and every comment would be read, considered, taken seriously, and replied to. We were <u>not</u> assured that our comments and general and specific information based on what we know from living here, as compared with what is determined by desktop analysis or computer modelling or forecasting, or extrapolating from experiences in other parts of the country whose geography, geology, and rural or urban structures are not the same as ours here, would have any effect on the inadequacies or omissions in the DEIS, which seems to reflect unreflectingly mainly what the companies (Williams and Cabot) proposing the Constitution Pipeline wish to include or not include, prefer to gloss over or to omit entirely from environmental and sociological consideration.
IND381-3	We were also informed or reminded that the FERC representatives listening to and recording these public hearings, or the staff members reading our submitted written comments, are not the ones that will make the ultimate decision on whether to approve this proposed massive pipeline carrying compressed gas under high pressure through a number of communities and across farmland, forest land, wildlife habitats, wetlands, flowing waterways and underground aquifers – that will be the purview of FERC's 5 commissioners, who of course have their own opinions based on their own backgrounds, knowledge, preferences, agendas, and influences. We hope they will not be subject to influence by the oil and gas industry, their own investments or other monetary considerations, or their sense of loyalty to either the corporations involved or perhaps short-sighted governmental policy regarding energy development in our country, economic conditions or forecasts, labor statistics, or foreign trade relations that may seem to indicate "public necessity and convenience" but in reality are not publicly necessary, not publicly convenient, and have devastating effects not only on individual citizens but also the environment that we all must share, including the basic physical necessities of breathable air, potable water, nutritious food production, earth's stability, waterways' sustainability, and a persistent livable climate. Not to mention the effects on human mental and spiritual development in terms of learning, education, and artistic creativity and appreciation, all of which are also truly necessary for any society to endure and thrive.
IND381-4	Many comments by NY Dept. of Environmental Conservation, the U.S. Environmental Protection Agency, and other state and federal agencies on the previously issued Resource Reports seem not to have had much effect on what FERC has seen fit to cover in the DEIS, whose insufficiency should mandate a revision, reissue, and supplementation addressing all of the specific issues cited during this comment period and previously by these governmental agencies, many environmental nonprofit organizations concerned with our local, national and global environment(s), and the very many private landowners and local residents whose comments indicate the extent to which their lives, homes, livelihoods, communities, and individual and public health, will be affected by this massive high-pressure pipeline and the increased gas-extraction and processing that will be constantly necessary to keep the pipeline filled to capacity as contracted. Further extended public comment period should be provided
IND381-5	

IND381-2	Comment letters received were considered by the FERC staff and where appropriate, the EIS text has been updated.
IND381-3	See the response to comments LA7-5 and CO39-3.
IND381-4	The commentor's statements regarding the draft EIS are noted. See response to comment FA1-1.
IND381-5	See the response to comment LA1-4 regarding hydraulic fracturing. See response to comment FA1-1..

# INDIVIDUALS

## IND381 – Kathy Shimberg (cont'd)

20140407-5007 FERC PDF (Unofficial) 4/4/2014 5:38:34 PM	
IND381-5 cont'd	now, and will be necessary with the needed inclusions and revisions to DEIS before any approval of Constitution Pipeline is considered.
IND381-6	<p>If the inaccuracies and omissions are not corrected, we can only conclude that FERC is not truly interested in serving the public, not truly a regulatory agency, no more trustworthy than the corporate segment of our nation's population (which we have seen in so many instances are collectively more concerned with their own profits than the welfare or equal benefit of all citizens and workers, and at the expense of the rest of us not involved in the amassing of disproportionately outsized quantities of money-making acquisitions or speculation thereupon.)</p> <p>I hope my preamble here will not prevent FERC and ACE from understanding the import of the remainder of my comments, or the many complexities involved in the comments of all the others who wish to prevent our lives and our country from being taken over by what we perceive as a continuing detriment to sane and healthy living, and indeed ultimately to existence itself if we can't use precautionary principles to stop developing fossil fuels <u>now</u> – assuming it's not already too late. This is not a viable "bridge" to renewable energy. Our region here in the upper Catskills is beautiful, and we love it here, mostly unspoiled like so many other areas of the country: Its beauty, livability, and continuing development toward both environmental and economic sustainability need to be maintained, preserved, furthered, but it's not only for ourselves and our own homes that we protest the Constitution Pipeline, or its constituent gas-extraction and processing facilities, from an onslaught of industrial invasion, disruption, and dangerous risk.</p>
IND381-7	<p>Here are my previously submitted comments, somewhat amended:</p> <p>From Kimberly Bose's introductory cover letter to FERC's Draft Environmental Impact Statement, p. 1, dated Feb. 3, 2014):</p> <p>"...The draft EIS assesses the potential environmental effects of the construction and operation of the projects in accordance with the requirements of the National Environmental Policy Act (NEPA). The FERC staff concludes that approval of the projects would have some adverse environmental impacts; however, these impacts would be reduced to less than significant levels with the implementation of Constitution's and Iroquois' proposed mitigation and the additional measures recommended by staff in the draft EIS." Many of us who live here do not agree that the impacts would – or could – be reduced to "less than significant levels" by any mitigation or other measures.</p>
IND381-8	I am submitting this comment as an intervenor on the proposed Constitution Pipeline. While my property is not directly on the proposed route(s) for this massive high-pressure behemoth, I live in the general area that will be affected by Constitution Pipeline if it is built here, as will everyone in this region. Many of my friends do live along the proposed route or alternative routes for the pipeline. Others of my friends live in the areas of New England that proposed connecting pipelines would pass through. Most of us who have come to know anything at all about oil and gas pipelines, as well as the processes of industrial extraction, compression and conversion for transport, inadequately controlled disposal of hazardous waste, and by-products of the pipelines' contents, including radioactive elements, do not want this industrial

IND381-6      Section 3.1.2.3 of the EIS provides a discussion of renewable energy. See the response to comment IND13-3 regarding safety.

IND381-7      The commentor's statement regarding impacts is noted.

IND381-8      See the response to comment FA4-45. The proposed pipeline would transport natural gas, not oil or chemicals.

# INDIVIDUALS

## IND381 – Kathy Shimberg (cont'd)

20140407-5007 FERC PDF (Unofficial) 4/4/2014 5:38:34 PM

IND381-8 | development and the immediate and long-term consequences thereof in our beautiful and livable  
cont'd | environment and our thriving community life.

IND381-9 | We are aware of the risks, dangers, sacrifices, and irremediable ruination in other areas where  
this development has taken and is currently taking place, including in the northern Pennsylvania  
shale-fields that would supply the gas travelling through the proposed Constitution Pipeline  
under high pressure. The results of this massive over-development of fossil fuels that also is  
contributing to economic instability and inequality in our country and the world today, are  
appalling, and are not beneficial to the public living here, and not necessary for the company  
producers of the gas nor the recipients of their product in order to transport the gas to ocean or  
other ports for export under the guise of delivering the gas purportedly to domestic markets in  
New England and downstate New York City environs.

IND381-10 | If the Constitution Pipeline is built it will need to be constantly supplied in order to be cost-  
effective to Williams Partners, which means that gas exploration and extraction will have to  
continue and increase over time, as it has been shown that shale wells gradually deplete in a few  
short years, in spite of rosy, hopeful, but mostly inaccurate forecasts of massive underground  
reserves. If the current Pennsylvania Marcellus "sweet spot" gas diminishes substantially, further  
development and devastation will be attempted in that state, and will probably move also into  
New York State if our own governmental and legislative officials decide to grant permits for  
drilling, possibly to irresponsible companies as we have seen run rampant elsewhere when  
allowed to do so. Among the irresponsible we can count Cabot and Williams, the original and  
continuing major partners in the Constitution Pipeline Company, LLC.

IND381-11 | Williams and Cabot, as many other companies in the gas and oil industry, have falsified and  
minimized the deleterious impacts of the processes and infrastructure while overstating and  
falsely publicizing exaggerated forecasts of supply potential and supposed benefits to local  
communities, along with attempts to threaten local property owners who refuse (for good reason)  
to negotiate land easements, and attempts to bribe local municipalities by offers of funds to  
enhance local institutions' budgets and/or building projects.

IND381-12 | Anyone who has been paying attention to news reports over the last few years, or has done  
research going back a couple of decades, knows that these two companies (among several others)  
have an egregious record of accidents, oversights, and falsifications of safety. Just within the last  
week there was another explosion at one of Williams's facilities, an LNG plant in the state of  
Washington. Last year a pipeline in West Virginia exploded disastrously. There have been a  
number of others recently, some involving loss of life, most involving destruction of private  
property and public infrastructure. (See, for example, < [http://articles.philly.com/2012-04-08/news/31308559\\_1\\_gas-safety-gas-explosion-natural-gas](http://articles.philly.com/2012-04-08/news/31308559_1_gas-safety-gas-explosion-natural-gas)>, article of 4/8/12 entitled "Northern  
Pennsylvania gas explosion was out of regulatory reach," describing an explosion on a Williams  
Partners compressor station thus: "The incident is a pointed example of the gap in pipeline safety  
rules as the industry continues its rapid expansion in the Marcellus Shale fields of Pennsylvania.  
An Inquirer series last year found that this gap, coupled with a slow response from Pennsylvania,  
meant that hundreds of miles of high-pressure pipelines had been built with no safety oversight.  
Up to 25,000 miles could be built, experts say. .... The agency [DEP] last week says it told

IND381-9 | See the response to comment LA7-5 regarding export.

IND381-10 | See the response to comment LA1-4 and FA4-45.

IND381-11 | See the response to comment CO47-1. See the response to  
comment IND13-3 and section 4.12 of the EIS regarding safety  
of the proposed projects.

IND381-12 | See the response to comment LA7-5. See the response to  
comment CO47-1 regarding safety.

S-1628

# INDIVIDUALS

## IND381 – Kathy Shimberg (cont'd)

20140407-5007 FERC PDF (Unofficial) 4/4/2014 5:38:34 PM

IND381-12 cont'd	<p>Williams not to restart the compressor without its permission. But the company began running it anyway a day or two later....")</p> <p>And we all know about Cabot's damage in Dimock, PA, and the company's reluctance to make things right for the residents whose household water was toxified, made totally unusable and/or explosive, whose health and livelihoods were damaged as well as their property, and whose livestock and pets have suffered too. How many more of all these dangers will we citizens have to endure for the sake of enriching the companies' and their shareholders' overflowing coffers at the expense of all the rest of us? This industry is not safe, whether in urban centers or in once-beautiful rural areas, regardless of total population affected. Thus the entire oil and gas industry, including the various kinds and dimensions of pressurized pipelines or other mode of transporting/gathering/distributing, is not currently beneficial for public convenience or necessity.</p>
IND381-13	<p>Further, in connecting to the Iroquois Pipeline at the Wright Compressor Station in Schoharie County, NY, the Constitution Pipeline intends to extend its transmission of Cabot's gas from the Marcellus into Canada. There are suspicions that the gas will thence be transported to coastal ports for foreign export, and possibly to the Province of Alberta to supply energy contributing to increasing dirty tar-sands oil production to supply the anticipated Keystone XL Pipeline. Regardless of company claims, this is not for public convenience or necessity in the U.S., and export is anticipated to raise the cost of gas supplies for U.S. customers, especially in the Northeastern U.S. Another company now added to the Constitution partnership is Piedmont Natural Gas, which expects to expand its own operations by benefitting from Constitution's construction and operation in the Marcellus shale (see <a href="http://www.piedmontng.com/investors/constitutionfaq.aspx">http://www.piedmontng.com/investors/constitutionfaq.aspx</a>). This will not benefit us who live where the Constitution would destroy farmland, forested land, waterways and wetlands, lives, lifelong investments, peace and quiet, homeowner insurance and mortgage coverage, general health and mental well-being, and animal habitats, to name a few impacts including environmental items.</p>
IND381-14	
IND381-15	<p>No amount of money can "mitigate" destruction of individual properties, lives, and livelihoods by contamination, erosion, deforestation, toxification, and potential for health hazards as are well known to have occurred elsewhere as a result of this industrial invasion. Furthermore, property values decline, and people are left without the delight in their homes, their family or retirement plans, without the ability to sell their property for its true value, often without being able to afford to move away if they decide that that's only way they would be able to protect the health and happiness of themselves, their children, grandchildren, aged family members they're caring for, and so on. "Mitigation" as proposed in the DEIS is a laughable ploy as a generic term: If someone's water well or forest land or protected wetland, or a community's aquifer or vegetation or air quality, is destroyed, then subsequently or concurrently creating something similar in another area of the county, state, or country is not a just compensation for that deprivation. If someone ends up in the hospital as a result of living too close to any of the various avenues of toxicity provided by fossil-fuel industrialization, who pays for that? If a community's roads are damaged by excessive truck traffic loaded with heavy equipment, who pays for that? If explosion or fire destroys one's home, who compensates for the many stresses, hardships, and loss created for the people who suffer thereby? These are just some examples of the over-all</p>
IND381-16	
IND381-17	
IND381-18	

IND381-13 See the response to comment CO1-2. See the response to comment LA5-3 regarding insurance and mortgages.

IND381-14 See the response to comments CO1-4 and IND169-1 regarding erosion. See the response to comment CO57-4 regarding health.

IND381-15 See the response to comment LA5-3 regarding property values.

IND381-16 Mitigation for wetlands and forested lands would result in preservation at another location in New York. As stated in section 4.3.2.1 of the EIS, in the event that construction of the pipeline temporarily impacted private or public well or spring quality or yield, Constitution would provide alternative water sources or other compensation to the owner.

IND381-17 See the response to comment CO57-4 regarding health. See the response to comment LA1-1 regarding road repairs.

IND381-18 See the response to comment IND13-3.



# INDIVIDUALS

## IND381 – Kathy Shimberg (cont'd)

S-1630

20140407-5007 FERC PDF (Unofficial) 4/4/2014 5:38:34 PM	
IND381-18 cont'd	encroachment on daily and long-term happiness and peace of mind by continued fossil-fuel expansion, including the network of pipelines and the ever-increasing extensive non-renewable resource extraction promoted by this continuing "buildout."
IND381-19	Air and water know no boundary lines. Earth's stability and vulnerability to destabilizing forces are not well enough understood or heeded by Williams, Cabot, Piedmont, and other partners and companies and their top-line "guiding" personnel intent on outlandishly maximizing monetary profits as their driving motivation. Respect for the land, the environment, and the inhabitants -- human or other animal and plant life -- is sorely lacking in Constitution's and other pipeline builders' attitudes toward the areas they are determined to traverse and dig into. The DEIS does not adequately address the multitude of issues in a way that corresponds with reality on the ground, apparently drawing inaccurate conclusions about the physical, geological, and sociological effects of this invasion based on desktop analyses, ignorance or uncaring disregard of the actual landscape and community structures in our particular area of the country, and mis-application of conditions from other areas where this industrialization is already under way, with unwanted or disastrous consequences often unheeded, such as: explosive potential (and actuality) causes and effects; rocky soil; crumbly karst; earth movement exacerbated by blasting; erosion on steep hills, increased by taking out trees for pipeline ROWs and access roads; increasing flood zones and near-annual flooding. Other commenters and intervenors are addressing specifics in the DEIS that pertain to these overall issues, among others.
IND381-20	The DEIS itself omits consideration of many specifics, and is inaccurate on many other characteristics of this particular region of the state and the country. FERC apparently is willing to promote the interests of the gas and oil industry at the expense of the citizens of this rural and semi-rural region and its beauty, often pristine landscape, delights in the world of Nature, social interaction, aesthetic appreciation and stimulation for artistic creativity, provision of good growing land for food, clean water and clear air, all of which are necessities of life that transcend perceived (and misperceived) industrial "necessity" and "convenience." Convenience for whom? Necessity for what?
IND381-21	I would also mention the serious larger environmental issue of pipelines and continued increasing fossil-fuel development causing what's now widely recognized and substantiated as disastrous climate alterations that are likely to make many areas of our planet uncomfortable to live in at best, and totally uninhabitable at worst. We are short-sightedly killing ourselves and everything else living, and everything worth living for. FERC, the U.S. Dept. of Energy, and various other agencies and governmental entities may not want to pay attention to this (for now), but ignoring the reality doesn't change what's now being observed as actually happening.
Respectfully submitted,  Kathy Shimberg Mt. Vision, NY 13810 Otsego County, NY	

IND381-19	Sensitive resources, as well as potential impacts and mitigation, are discussed in the EIS for shallow bedrock (sections 2.3.1 and 4.1.3; appendix I), karst (section 4.1.3.6), and blasting (section 4.1.3.8). See the response to comments CO1-4 and IND169-1 regarding erosion. See the response to comments CO1-5 and IND113-1 regarding flooding.
IND381-20	See the response to comment IND368-1.
IND381-21	The commentor's statements regarding pipelines are noted. See the response to comment SA6-1 regarding climate change.

# INDIVIDUALS

## IND382 – Thomas C. Earle

20140407-5006 FERC PDF (Unofficial) 4/4/2014 5:58:47 PM

IND382-1

Thomas C. Earle, Davenport Center, NY.  
AS PER THE PRESIDENTIAL EXECUTIVE ORDER #13406. PROTECTING THE RIGHTS OF THE AMERICAN PEOPLE. I QUESTION THE LEGALITY OF THE USE OF "EMINENT DOMAIN",THE THREAT OF, OR ENFORCEMENT, UTILIZED BY THE WILLIAMS CO., dba: CONSTITUTION PIPE LINE LLC.(C P L)TO SEIZE MY PRIVATE LAND FOR THIS PIPE LINE PROJECT. THE CONSTITUTION PIPE LINE IS A PRIVATE CO. IT IS NOT A GOVERNMENT AGENCY. IN ADDITION, AS PER THE INFORMATIONAL MAPS PROVIDED TO ME FROM C P L. THEY CLERLY INDICATE A CURRENT GAS PIPE LINE SYSTEM THAT IS CURRENTLY UTILIZED AS A UTILITY TO SUPPLY GAS TO THE PUBLIC. BASED ON THESE FACTS, THE C P L FAILS TO COMPLY WITH PRES. EXEC. ORDER # 13406. THERE FORE THE CLAIM THAT C P L IS USING TO OBTAIN F.E.R.C. AUTHORITY, TO CLAIM MY PROPERTY FOR THIS PROJECT VIA EMINENT DOMAIN, TRULY SHOULD NOT BE RECOGNIZED BY F.E.R.C. I AM REQUESTING THAT F.E.R.C. DENY C P L ANY / ALL PERMISSION TO MOVE FORWARD. ALL ASPECTS OF C P L BUSINESS SHOULD BE INVESTIGATED, PROJECTED PROFITS SHOULD BE REVIEWED AND DISCLOSED TO ALL PRIVATE LANDOWNERS. THIS PROJECT IS SOLEY A PROFIT MAKING VENTURE BY THE WILLIAMS CO. / CONSTITUTION PIPE LINE LLC. TO ADVANCE THEIR ECONOMIC INTEREST. I AM REQUESTING THE F.E.R.C. TO UP HOLD AND ENFORCE PRES. EXEC.ORDER #13406.  
  
THANK YOU  
THOMAS C. EARLE

IND382-1

See the response to comment FA8-3. In accordance with the Natural Gas Act, if an applicant receives a Certificate of Public Convenience and necessity, it conveys the right of eminent domain with it for the facilities approved in that certificate.

INDIVIDUALS  
IND383 – Claudia H. Gorman

S-1632

20140407-5011 FERC PDF (Unofficial) 4/4/2014 8:01:11 PM	
Claudia H. Gorman, Middletown, RI.	
Claudia H.Gorman 180 Vernon Avenue Middletown, RI April 1, 2014	
Kimberly D. Bose, Secretary THE FERC 888 First Street NE, Room 1A Washington, DC 20426	
U.S. Army Corps Of Engineers New York District, CENAN-OF-R Upstate Regulatory Field Office 1 Buffington Street, Building 10, Third Floor Watervliet, New York 12189 - 4000	
IND383-1	<p>I am an intervenor and family members will be directly impacted should the Constitution Pipeline be allowed.</p> <p>Often in our daily lives we are grumblers. We grumble about taxes, the poor roads, the price of groceries, our aches, our lack of sleep. However, a major impact in our lives forces us to think about our values, our rights and about what we often take for granted. Just so the Constitution Pipeline.</p> <p>So many knowledgeable people have addressed well thought out issues regarding the DEIS. They have researched and studied pertinent data. They have raised legitimate questions and sought solid answers. What I have felt personally in regard to how this pipeline will effect me has been expressed by many others. We are talking about what we love about this area. We are talking about what we value, about our quality of life and what impacts it. We are talking about what the forests and fields do to our psyche. We are talking about our good water and rich agricultural lands. We are talking about making this earth better for future generations.</p> <p>Yes, we know that we need energy sources, more jobs, a boost to the economy. The Constitution Pipeline is not the answer. It will bring industrialization, limited and short term jobs, alter the environment irreparably, make a profit for a few and change a way of life so sincerely valued by the majority that would be impacted.</p>
IND383-2	<p>We can find better answers to this energy question. The Constitution Pipeline is not the answer. Please reject this project and focus on a sustainable future.</p>

IND383-1	See the response to comment CO41-23 regarding industrialization. See the response to comments CO50-55 and IND106-1 regarding jobs. See the response to comment CO1-1 regarding environmental impacts.
IND383-2	The commentor’s statements of opposition regarding the proposed projects are noted. Section 3.1.2.3 of the EIS provides a discussion of renewable energy.

# INDIVIDUALS

## IND384 – Claudia H. Gorman

S-1633

20140407-5012 FERC PDF (Unofficial) 4/4/2014 8:09:19 PM	
Claudia H. Gorman, Middletown, RI. Claudia H.Gorman 180 Vernon Avenue Middletown, RI April 4, 2014	
Kimberly D. Bose, Secretary THE FERC 888 First Street NE, Room 1A Washington, DC 20426	
U.S. Army Corps Of Engineers New York District, CENAN-OF-R Upstate Regulatory Field Office 1 Buffington Street, Building 10, Third Floor Watervliet, New York 12189 - 4000	
IND384-1	I am an intervener and family members will be directly and negatively impacted by the Constitution pipeline.  It is FERC's responsibility to ensure that Constitution Pipeline adheres to regulations and protections in place for fish, wildlife and endangered species.  It is FERC's responsibility to set guidelines/standards that Constitution Pipeline must follow to "mitigate" the impact the pipeline would have on fish, wildlife and endangered species.
IND384-2	FERC allows Constitution Pipeline the right to use Eminent Domain to take property from landowners. There are NO protections for such landowners. There is NO "mitigation" possible for such landowners if this pipeline is allowed.
IND384-3	Should Constitution Pipeline be allowed INDIVIDUAL AND FAMILY LANDOWNERS WILL BECOME AN ENDANGERED SPECIES. "We live in a world of unintended consequences of our own making, which can never be easily undone." (Verlyn Klinkenborg, New York Times, 10/13/2013)  Deny this project and do what must inevitably be done - lead the way to the development of sustainable and renewable energy.

IND384-1	See the response to comment FA4-12 regarding our third-party monitoring program. The FERC's third-party compliance monitor would also monitor adherence to any permit requirements.
IND384-2	See the response to comment FA8-3 regarding eminent domain.
IND384-3	The commentator's statements regarding the proposed projects are noted. Section 3.1.2.3 of the EIS provides a discussion of renewable energy.

# INDIVIDUALS

## IND385 – Bridget

S-1634

20140407-5014 FERC PDF (Unofficial) 4/4/2014 8:33:17 PM	
IND385-1	<p>Bridget, Kirkwood, NY.</p> <p>This letter is in reference to docket nos. CP13-499 and CP13-502 ; NAN-2012-00449-UBR.</p> <p>I do not want the Constitution pipeline anywhere near my home or community. Due to obvious health and environmental dangers that have already been documented.</p> <p>Just the construction of the pipeline alone causes concern.The clear cut logging of close to a thousand acres for proper drainage that will potentially cause mudslides and flooding.</p>
IND385-2	<p>Along with the damage to our local roads from heavy equipment.</p>
IND385-3	<p>At the nearby Dunbar Rd. compression station there has already been 2 fires.</p>
IND385-4	<p>Along with added traffic,heavy trucks damaging the roads,and not complying with the local</p>
IND385-5	<p>noise ordinance.</p>
IND385-6	<p>I have not heard anything positive from my local neighbors that live nearby the already existing pipeline/compression station. Their home values have declined as well as their quality of life.The pipeline has had ill effect on their home owners insurance. Several residents are unable to sell their homes as nobody wishes to buy them near the pipeline.</p>
IND385-7	<p>Windsor residents were also told at the meeting recently held at the highschool that when responding to an emergency regarding the pipeline/compression station our local firefighters are not allowed to shut off valves or come within several feet of the pipeline / building.</p> <p>This does not make me feel safe knowing that they must wait until a worker from the gas company arrives to handle the emergency.</p> <p>It was said that the gas companies learn from their mistakes.More mistakes seem to keep happening and are becoming even more frequent. Unfortunately the public and environment are feeling the impact from these mistakes.</p>
IND385-8	<p>That is why an extention of the comment period is being asked for. This is not something that should be rushed. It is impossible for anyone to evaluate the impacts of the proposed project without all the required information and documents. There is obvious dangers,that is why the gas companies are trying to rush to push this project through.</p>
IND385-9	<p>It is not fair to allow the gas companies to continue blind folding or bullying the public</p>

IND385-1	The commentor's statement in opposition to the proposed projects is noted. See the response to comment IND13-3 regarding safety. See the response to comments CO1-4 and IND169-1 regarding erosion. See the response to comments CO1-5 and IND113-1 regarding flooding.
IND385-2	See the response to comment LA1-1 regarding impacts on roads.
IND385-3	See the response to comment CO47-1 regarding safety.
IND385-4	See the response to comment LA1-1 regarding roads.
IND385-5	Section 4.11.2 of the EIS discusses noise ordinances.
IND385-6	See the response to comment LA5-3 regarding property values, mortgages, and insurance.
IND385-7	Section 2.2.2 of the EIS states Constitution proposes to use remotely controlled MLVs along the pipeline route. Remotely controlled MLVs would be continuously monitored at Constitution's gas control center and in the event of an incident, an electronic command to close the valve can be sent.
IND385-8	See response to comment FA1-1.
IND385-9	See the response to comment FA8-3 regarding eminent domain.

INDIVIDUALS

IND385 – Bridget (cont'd)

20140407-5014 FERC PDF (Unofficial) 4/4/2014 8:33:17 PM

IND385-9  
cont'd

through eminent domain.  
You can not put a price on our health.  
Money will not replace our destroyed environment or our lives!



INDIVIDUALS  
IND386 – Patrick Conway

S-1636

20140407-5020 FERC PDF (Unofficial) 4/4/2014 11:12:04 PM	
Patrick Conway, Brooklyn, NY. This pipeline must not be built.	
IND386-1	Several good reasons not to do this project are as follows, though this is hardly a comprehensive list:  1) Hundreds of thousands of mature trees in priceless forest would be felled and inappropriate forest fragmentation would result.
IND386-2	2) Noise, structural damage, and aquifer contamination from blasting and jack hammering.
IND386-3	3) Water quality degradation.
IND386-4	4) Unwise creation of a pathway for storm runoff.
IND386-5	Then, of course, there's the biggest reason of all, the one that FERC has been profoundly ignoring: climate change. Sure it's easy to keep on ignoring it, after all, it probably won't be your home that gets flooded, or your country's food supply that gets threatened by drought, or your childrens' livelihoods and way of life that get turned upside down, so why should you turn down a nice, fat paycheck to stand up for what's right for other people you don't know and who maybe haven't even been born yet? And even if any of that does happen to you, you'll have the resources to recover even if others don't, right?  No matter where your moral foundation comes from, it likely includes a prohibition on doing to others what you wouldn't want done to you. Look around. You're living on a beautiful planet that was handed to you in a much better state than it stands in now. Our earth has taken a great deal of environmental damage in your lifetime alone: radioactive contamination in the atmosphere, mercury contamination in the oceans, profound soil and water contamination from every conceivable source. On every possible front, the environment we live in, and which we will soon be handing to our children, has been losing ground, and you bear a full share of the responsibility. Turning away from that responsibility to then enable climate change and the shameful practice of fracking is a profound moral violation. Don't do it.  There is no more debate about climate change; all that's left is industry propaganda --that, and those fat paychecks we talked about earlier. If you're in a system that requires you to check your humanity at the door and act like a virus --with total disregard for your surroundings and all the members of your own and other species- you're in a system that you should leave immediately. Facts are facts, and sick is sick.
IND386-6	This pipeline must be rejected. No rubber stamp here; use your heads and your hearts and do the right thing this time, right here, today, now! Then first thing tomorrow morning, please get to work on bringing alternative and greener energies to market. The future of our species depends on it.  Thank you, Patrick Conway

IND386-1	Sensitive resources, as well as potential impacts and mitigation, for interior forest and forest fragmentation are discussed in the EIS (section 4.5.3).
IND386-2	Section 4.11.2 of the EIS provides a discussion on noise-related impacts from blasting. See the response to comment IND110-6 regarding water quality and blasting.
IND386-3	See the response to comments LA8-3 and IND116-1 regarding water quality.
IND386-4	See the response to comments CO1-4 and IND169-1.
IND386-5	See the response to comment SA6-1 regarding climate change. See the response to comments CO1-5 and IND113-1 regarding flooding. See the response to comment FA4-45 regarding hydraulic fracturing.
IND386-6	The commentor's request to deny the proposed projects is noted. See the response to comment IND44-2 regarding the Commission's decision making process. Section 3.1.2.3 provides a discussion of renewable energy.

**INDIVIDUALS**  
**IND387 – Stacia Norman**

20140407-5026 FERC PDF (Unofficial) 4/5/2014 11:33:25 AM

Stacia Norman, Morris, NY.

- IND387-1 I am against construction of the Constitution Pipeline and any other infrastructure related to the extraction and transportation of fossil fuels. Fracking will only exacerbate climate change and leave American communities with a toxic legacy, while putting more money into the oil and gas industry's already bursting coffers. Instead of spending money on the infrastructure needed to export oil and gas, those dollars would be better invested by creating a truly sustainable energy infrastructure. The International Panel for Climate Change recently released a report highlighting the dire consequences yet to come from climate change if action is not taken to move from fossil fuels to renewable. Last fall, the IPCC found that methane is even worse for the climate than previously thought: Over a 100-year time scale, methane is 34 times more potent in the atmosphere than CO2; over 20 years, 86 times more potent. We know that methane is emitted during oil and gas drilling, fracking and distribution. Climate scientists warn that we must leave fossil fuels in the ground and aggressively transition to renewable energy to avert catastrophic climate change. The energy policy of exporting U.S. fracked gas all over the world will further contribute to climate change. Disaster is not around the corner; it's here. We need to stop the Constitution Pipeline and protect our fragile planet from further destruction caused by the extraction, transportation, and use of fossil fuels.
- IND387-2

IND387-1

The commentor's statement against the proposed projects is noted. See the response to comment FA4-45 regarding hydraulic fracturing.

IND387-2

See the response to comment LA7-5 regarding export. Section 3.1.2.3 of the EIS provides a discussion of renewable energy. See the response to comment SA6-1 regarding climate change and methane leakage.

**INDIVIDUALS**  
**IND388 – Michael Gorr**

20140407-5029 FERC PDF (Unofficial) 4/5/2014 2:14:57 PM

Michael Gorr, Skaneateles, NY.  
IND388-1 I am writing to express my strong opposition to the proposed Constitution  
Pipeline. This project will involve a significant risk of fires and explosions  
IND388-2 and will produce fugitive emissions of methane and hydrocarbons (which threaten  
the health of people living near the pipeline and contribute to global climate  
change). In addition, the compressors that are a necessary adjunct to any gas  
IND388-3 pipeline generate volatile organic compounds and hazardous air pollutants.  
IND388-4 Nor is that all. The construction of the pipeline would require cutting  
thousands of trees resulting in serious forest fragmentation. There are also  
IND388-5 serious dangers of aquifer contamination from blasting. And last, the property  
of anyone with the misfortune to live near this horror will be significantly  
IND388-6 devalued.  
Please do not issue a permit for this project. Thank you.

IND388-1 The commentor's opposition to the proposed projects is noted.  
See the response to comment IND13-3.

IND388-2 See the response to comment IND21-17 regarding fugitive  
emissions. See the response to comment SA6-2 regarding  
climate change.

IND388-3 Section 4.11.1 of the EIS provides a discussion of air quality  
impacts and proposed mitigation.

IND388-4 Sensitive resources, as well as potential impacts and mitigation,  
are discussed in the EIS for interior forest and forest  
fragmentation (section 4.5.3).

IND388-5 See the response to comment IND110-6 regarding water quality  
and blasting.

IND388-6 See the response to comment LA5-3 regarding property values.

# INDIVIDUALS

## IND389 – Albert Crudo

S-1639

20140407-5030 FERC PDF (Unofficial) 4/5/2014 2:41:56 PM	
IND389-1	Albert Crudo, Unadilla, NY. The comment period must be extended- New Developments Have Changed the Scope of the Project. On March 27, 2014 the applicants submitted new documents, just 12 days before the end of the public comment period seeking to expand the scope of the project to include at least 11 communications towers greater than 100 feet in height. Interveners and the general public must be given an extension of time to respond with respect to this newly disclosed information.
IND389-2	Pipeline Capacity is Misstated and Contradictory. The DEIS clearly states that: "Constitution (and Iroquois) have not identified or proposed any plans for future expansion of their system." However, later in the document, FERC contradicts this statement.
IND389-3	Referenced Analyses Are Grossly Incomplete and Premature.  Almost no aspect of the draft is complete. The deficiencies are rampant and detrimental. These deficiencies deny the public of a real opportunity to comment on the proposed plans and fail to impose enforceable mitigation measures prior to permitting.
IND389-4	The Deis fails to address direct, indirect and cumulative impacts AS REQUIRED BY LAW.
IND389-5	Ecological impacts are improperly dismissed. The selected route is not supported by science and is inconsistent with federal guidelines. For example the DEIS fails to consider the adverse impacts of ecosystem fragmentation, and induced and cumulative ecological impacts of shale gas extraction are ignored.
IND389-6	Analysis of alternatives is significantly flawed. Misrepresented comparisons between transported and produced energy are presented, nor are this material supported by fact.
IND389-7	The DEIS fails to acknowledge plans for export which constitutes ILLEGAL SEGMENTATION.

IND389-1	See response to comment FA1-1 regarding extension of the comment period. See the response to comment SA2-1 regarding Constitution's proposed communication towers.
IND389-2	As stated in section 2.7 of the EIS, Constitution has not identified or proposed any plans for future expansion of its system or abandonment of any of the projects' facilities. See the response to comment FA4-46 regarding Leatherstocking's proposal. The Leatherstocking Project is not part of Constitution's project. See the response to comment CO26-18 regarding Iroquois' SoNo Project. See the response to comment SA4-6 regarding increased transport along the proposed pipeline.
IND389-3	See response to comment FA1-1.
IND389-4	Section 4.13 of the EIS provides a discussion of cumulative impacts.
IND389-5	See the response to comment LA1-4 regarding hydraulic fracturing. Interior forest and forest fragmentation are discussed in section 4.5.3 of the EIS.
IND389-6	The commentor's statements regarding the alternatives section of the EIS is noted. See the response to comment CO26-16.
IND389-7	See the response to comment LA7-5 regarding export.

# INDIVIDUALS

## IND390 – Evan Ramos

20140407-5031 FERC PDF (Unofficial) 4/5/2014 3:17:24 PM

- Evan Ramos, Bethpage, NY.
- IND390-1 | 1)Cumulative impacts, including those associated with the pipeline’s potential to encourage future fracking in New York, must be fully evaluated.
- IND390-2 | 2)Alternatives to the use of proposed trenching methods, which involve digging a hole through a waterbody or wetland, should be fully evaluated for each and every proposed waterbody and wetland crossing.
- IND390-3 | 3)Necessary information that FERC identified as missing from the DEIS must be submitted by Constitution before FERC makes a decision about significant environmental impacts.
- IND390-4 | I agree with its conclusion that a proposed alternative pipeline route that would cut through the New York City drinking water supply watershed is not viable and should not be considered further.

- IND390-1 Cumulative impacts, including a discussion of hydraulic fracturing, are discussed in section 4.13 of the EIS.
- IND390-2 Proposed crossing methods for waterbodies and wetlands are discussed in sections 2.3, 4.3, and 4.4 of the EIS. Alternative crossing methods, including trenchless methods, are included in this discussion.
- IND390-3 See the response to comment FA1-1 regarding information that was pending at the time of issuance of the draft EIS.
- IND390-4 The commentor’s statement regarding opposition to alternative K is noted.

# INDIVIDUALS

## IND391 – Jeannette F. Westcott

S-1641

20140407-5032 FERC PDF (Unofficial) 4/5/2014 4:13:06 PM	
IND391-1	<p>Jeannette F Westcott, East Meredith, NY.</p> <p>My property is adjacent to one the pipeline will cross and my home is within 200ft of the pipeline. In 2006 there were flooding rains that washed out sections of Taylor Rd and Dutch Hill RD. It took 4 days for people to get off of our hill due to car sized holes in the once paved roads.</p> <p>Constitution states that this pipeline will be set 2-3 ft deep in a trench with no rocks greater than 3 in. above or below it. How are they going to keep rocks from moving up out of the ground below as they continually do with freezing and thawing? I am in the process of filling my carport with the rocks that I have harvested from my 40x40 ft garden over the last 8 years. This 3ft depth is neither above nor below the frost line. This winter on 3 occasions when the temperatures were below freezing, I stood in our yard and heard and felt the ground pop under my feet. Think of the cracking and shifting of ice on a lake.</p>
IND391-2	<p>When it rains, a whole new world develops here on top of our mountain. More than one stream flows from Winn lane across my whole property and through the meadow behind us. For days after, if you walk across the meadow it is like walking on a wet sponge. When and how are large trucks going to be used without leaving 4 in. ruts? My yard at my back door has 4 in. ruts from me, at 154 lbs., walking in my boots to do chores in just the snow melt.</p>
IND391-3	<p>I am also concerned about the ability of flowing water to appear from nowhere up here and what it would do in a trench without 3 in. rocks and clay. Our electrical conduit comes out of the ground in a 3 in. pvc pipe. I have had 2 electricians come and look at it because when it rains we regularly have a water fountain shooting out of the ground at the corner of our house. Both electricians from this area have never seen anything like it. What will this free flowing water decide to do in a 3 ft plus trench going down our mountainside?</p>
IND391-4	<p>I ask you to seriously reconsider the necessity of this pipeline. The concerns I have raised in this letter are few. This 900 page document is incomplete in many more ways. More time is needed to review it. Affected land owners are people with families and jobs and little free time. Having to partake in this process at all is an undue burden on the land owners who have chosen to live here and financially invested in their property for now and their futures. What</p>
IND391-5	
IND391-6	<p>little money the company has offered my friends and neighbors is an insult compared to the disrespect and stress they have already imposed. (We have not been offered money even though our home, that we had planned to live in for the next 30 years is in the kill zone.)</p>

IND391-1	See the response to comments CO1-5 and IND113-1 regarding flooding. The proposed projects would not cross Dutch Hill Road. Taylor Road would be crossed via conventional bore. Section 4.2.2.9 of the EIS provides a discussion of ground heaving due to frost.
IND391-2	See the response to comment IND150-1 regarding rutting.
IND391-3	As stated in section 2.3.29 of the EIS, permanent trench breakers would be installed in the trench surrounding the pipeline in areas of steep slopes with high erosion potential and to prevent the high velocity channeling of water along the trench line.
IND391-4	See response to comment LA7-5.
IND391-5	See response to comment FA1-1.
IND391-6	See the response to comment FA8-3 regarding easement negotiations. See the response to comment IND13-3 regarding safety.



# INDIVIDUALS

## IND392 – Jeannette F. Westcott

S-1642

20140407-5034 FERC PDF (Unofficial) 4/5/2014 4:44:58 PM	
Jeannette F Westcott, East Meredith, NY. Kimberly D. Bose, Secretary FERC 888 First Street, N>E> Washington, DC 20426	
IND392-1	<p>I first heard of the Constitution Pipeline when a young man interested in buying a neighboring property called asking if we knew anything about a 3ft gas line being put into our neighborhood in August of 2012. He proceeded to tell me what he had heard and stated he was not purchasing the property across the meadow from us. The following week I learned of a friend being threatened with having her property taken by eminent domain by the gas company. Extremely upset by this prospect, my family and I attended the FERC hearing held in Oneonta in Oct. 2012 even though we were not "affected" homeowners.</p> <p>At this FERC meeting, I heard of the numerous alternate routes including a Route M that was determined in September 2012. I was appalled at how many different routes were being discussed. It was easy to see how this was beneficial to the pipeline company by isolating homeowners. I also learned that the FERC hearings were ending Nov. 30, 2012.</p> <p>When a letter arrived in our mailbox on DEC. 3, 2012 stating we were within 300 ft of Route M, I was shocked. The enclosed map was printed on November 29th, a day before the hearings were scheduled to end. That evening at 8:30 pm, Peter Graves called our home, asking if surveyors could come onto our property the next day. The timing of their communications with us seemed very calculated and showed little respect to me and my neighboring homeowners. My husband made it clear we did not want them on our property. Neighbors told us how they were threatened with eminent domain on these first phone calls. They were told if they didn't sign agreements within 3 months, they would be offered less money.</p> <p>Other representatives have continued to call us and visit our neighbors. I believe the small one time sums being offered to neighbors are complete insults. The pipeline is going to come in and cut down 100ft of trees. The very trees included in their properties when my neighbors fell in love with these properties and decided to buy the land in the first place. These trees provide privacy between neighbors. No price can make up for the numerous ways this company continues to insult and violate the landowners and their neighbors.</p>
IND392-2	<p>My husband spoke briefly at the April 1st, 2014 FERC hearing. Constitution bused in men seeking jobs on the pipeline, jobs that will be limited in duration. They were rude, intimidating and disruptive to the proceedings. Throughout this process this company has conducted itself with arrogance, a sense of entitlement to other's property, unclear communication (lack of clear maps and timelines), bribes in the form of grant money being offered to towns. They continue to stalk and intimidate homeowners in person, by phone and through the mail. They have trespassed on numerous occasions, more than once on the same properties and lied to neighbors saying they had permission. These behaviors are not usually tolerated by our society and are more in line with criminals. If this company is functioning for the public good, why are they using these tactics of deception and intimidation right from the beginning?</p>
IND392-3	<p>I pray that our government agencies don't condone or pave the way for such criminal behavior. This company does not deserve the right to private profit at the expense of the landowner's rights to private property, financial security and peace of mind.</p>

IND392-1	The commentor's statements regarding easements and the proposed projects are noted. As stated in section 3.0 of the EIS, in accordance with the NEPA, the FERC policy states that alternatives to the proposed projects must be evaluated. See the response to comment FA8-3 regarding easement negotiations.
IND392-2	See the response to comment CO50-108 regarding the comment meetings. The commentor's statements regarding Constitution's Community Grant program and conduct are noted.
IND392-3	The commentor's statements in opposition are noted.

**INDIVIDUALS**  
**IND393 – Alan Gaydorus**

20140407-5035 FERC PDF (Unofficial) 4/5/2014 4:58:56 PM	
IND393-1	<p>Alan Gaydorus, Bainbridge, NY.</p> <p>I am a local landowner and business owner in Afton NY with the Constitution routed though a large part of my property (4100 ft). I am writing to express my support for this pipeline. I feel the economic benefits of this project will give the local economy a much needed boost along with continued tax revenue dollars for years to come for the communities it passes through. The possibility of local upstate NY areas getting Natural Gas along its path would certainly be welcome and a savings for all.</p>
IND393-2	<p>I am a member of the landowners coalition ULG (Upstate Landowners Group). Our goal is to achieve an acceptable easement and fair compensation for our easement permission. We jointly have landowner membership of over 30 miles. Currently we are being told by the Constitution Pipeline that they will not negotiate any financial terms due the fact that our land will be taken through Eminent Domain as soon as FERC permits the project.</p> <p>I am asking FERC to not permit the project until Constitution Pipeline has made an agreement with the ULG Coalition. We - the landowners in its path will be the most effected and are only asking for fair compensation without the threat of Eminent Domian. Please consider our request.</p>

- IND393-1
- The commentor’s statements in support of the proposed project are noted.
- IND393-2
- See the response to comment FA8-3 regarding eminent domain and easement negotiations.

# INDIVIDUALS

## IND394 – Jeannette F. Westcott

S-1644

20140407-5036 FERC PDF (Unofficial) 4/5/2014 5:14:34 PM	
Jeannette F Westcott, East Meredith, NY. Kimberly D. Bose, Secretary FERC 888 First Street, N.E., Washington, DC 20426	
IND394-1	<p>Through this experience with the pipeline, I have witnessed my neighbor's lack of faith in our country. I have been told we have no rights as citizens, we can never fight this, it has already been decided. This is what the pipeline company believes and is reflected in the interactions and lack of communication with landowners.</p> <p>Our community, the one we grew up in or chose to become a part of is being threatened. People purchased land here because it is a beautiful rural haven. We left urban and suburban areas to be here in a place with clean air, clean water, elbow space and trees between us and our neighbors. Many have lived a lifetime here for the same reasons.</p> <p>I'm concerned for our community made up of those raised here, transplanted here decades ago, recently settled less than ten years and those who thought they had a future here. If this pipeline goes through, I have heard all of the above speak of leaving. I have met two young men who grew up here and are looking for homes refuse to buy property on the proposed routes. All are wondering, "Where is a safe place for my family?" Is it in the watershed where property costs more, or another state?"</p>
IND394-2	<p>It breaks my heart to think of having to uproot my family again and or see my neighborhood fall apart bit by bit as homeowners decide to leave. As a teen, I dreamed of raising my family here. We bought a single story house to do this with the idea of retiring in this community. I resent that the past year and a half, my friends and family have been burdened with the responsibility to fight for the right to our property in the community we call our own. Constitution could never compensate us for all the lost nights of sleep, time away from our families and jobs, as well as the full values to our properties and all properties in the kill zone.</p> <p>FERC needs to consider all factors of extracting and cleanup, not just transportation of natural gas. These companies have miles of pipelines already. I question the ability of these companies to maintain the lines they have now. How much gas would be saved if they fixed the numerous leaks in every major city? FERC should be pushing for fuel efficiency and conservation. They should be emphasizing a more integrated and sustainable approach to energy consumption. Many who live here do so for the ability to live a sustainable life. This pipeline is totally opposite this concept of sustainability that governs our lifestyles. The Native Americans lived by a simple rule; take what you need and replace what you take. This company represents a raping of our land, resources and community.</p>
IND394-3	<p>FERC is supposed to protect the environment and the people. I challenge FERC to prove that their agency is not a farce and that citizens still have rights and can partake in the political process. It is FERC's responsibility to ensure the fundamentals of Natural Law are followed 1) do all you have agreed to do 2) do not encroach on other persons or their property. I would like to quote Richard J. Maybury, "Experience shows that where these laws are widely obeyed by everyone, including government, the result is liberty, free markets, and rapid economic growth. Investment and job opportunities abound."</p>

IND394-1	See the response to comment IND13-3 regarding safety. See the response to comment LA5-3 regarding property values.
IND394-2	See the response to comment LA1-4 and comment FA4-45 regarding hydraulic fracturing. Section 3.1.2.3 of the EIS provides a discussion of renewable energy. See the response to comment SA6-1 regarding methane leakage.
IND394-3	The commentor's request of the FERC is noted.

**INDIVIDUALS**  
**IND395 – Gladys Paulsen**

20140407-5038 FERC PDF (Unofficial) 4/5/2014 6:31:56 PM

IND395-1 Gladys Paulsen, Huntington Station, NY.  
IND395-2 I am against the construction of the Constitution Pipeline. The compressor stations needed to move the natural gas bring dangerous "air" to rural areas of upstate New York. In addition, construction of the pipeline is just another step in bringing hydraulic fracturing to New York-the more infrastructure there is, the more pressure there will be to allow this inherently dangerous process in New York.  
IND395-3 I have lived in the NY metropolitan area my whole life(absent 4 years in college)-almost 61 years. As have my father, one sister, and my late mother. I have had breast cancer and basal cell carcinoma; my father has had squamous cell and basal cell carcinoma, my sister had thyroid cancer, and my mother had breast cancer, bladder cancer, and RAEB. My other sister, who left the NY metropolitan area to go to college and did not return, has never had cancer.  
IND395-4 Why, since we do not need this natural gas and when there is so much wind power available off Jones Beach and Montauk, are you thinking of approving this pipeline which will keep us addicted to "easy" fossil fuel.  
IND395-3 It is only easy if you don't have to deal with the health effects of fossil fuel use: asthma, stress from noise and light pollution, cancer, birth defects.  
IND395-4 Please do NOT approve the construction of this pipeline. Please be instrumental in saving upstate New York from the corporate raiders of our land.  
Thank you very much for reading this comment.  
Sincerely,  
Gladys Paulsen

IND395-1 The commentor's statements in opposition to the proposed projects are noted. Section 4.11.1 of the EIS provides a discussion of potential impacts and proposed mitigation measures for air quality.

IND395-2 See the response to comment FA4-45 regarding hydraulic fracturing. Section 3.1.2.3 of the EIS provides a discussion of renewable energy.

IND395-3 See the response comment to CO57-4.

IND395-4 The commentor's request to deny the proposed projects is noted.

INDIVIDUALS  
IND396 – Helen Ehman

20140407-5039 FERC PDF (Unofficial) 4/5/2014 9:44:37 PM	
IND396-1	<div>Helen Ehmann, Mt. Morris, NY.</div> <div>If the Constitution Pipeline is built, we'll be next in line to be fracked. Fracking pollutes the air, soil, and water - and makes people, and animals, sick.</div>
IND396-2	<div>I am opposed to the constitution pipeline. Please do not allow this project to be built in New York State. Please block the construction and operation of a compressor station everyplace gas gets added to the pipeline. Compressor stations are notorious for emitting toxic chemicals.</div>
IND396-3	<div>A vast network of pipelines will quickly surround "The Constitution." Pipelines devalue property. National insurance agencies will not insure property with a pipeline on it or near it. Construction debris. Blasting. Roads destroyed. Explosions. Stolen land.</div> <div>I am against the constitution pipeline. Please fulfill your duty to the public of New York State.</div>

- IND396-1      See the response to comment FA4-45 regarding hydraulic fracturing.
- IND396-2      The commentor’s statements in opposition to the proposed projects are noted. Section 4.11.1 of the EIS provides a discussion of potential impacts and proposed mitigation measures for air quality.
- IND396-3      See the response to comment LA5-3 regarding property values, insurance, and mortgages. See the response to comment IND13-3 regarding safety. See the response to comment FA8-3 regarding eminent domain.

# INDIVIDUALS

## IND397 – Ling Tsou

S-1647

20140407-5041 FERC PDF (Unofficial) 4/5/2014 10:38:28 PM	
IND397-1	<p>Ling Tsou, New York, NY.</p> <p>Please reject the application of the construction of the Constitution pipeline.</p> <p>The Constitution pipeline construction and right-of-way maintenance could have massive negative impacts on water quality. In New York alone, the pipeline would cross 20 aquifers (including one that provides the main source of drinking water to more than 100,000 people in Broome County), more than 20 private wells, and 4 public water supply watersheds. It would also cross 207 waterbodies - most by digging a trench through them - and impact 75 acres of wetlands. Not only would the pipeline contaminate our drinking water and pollute our air, methane leakage would also exacerbate climate change. We also cannot forget the possibility of natural gas pipeline explosion. This pipeline poses a grave danger not only to the environment but also to nearby residents. Seventy five percent of the landowners in Delaware County have refused to lease to the pipeline company. This is not a story of a few holdouts.</p> <p>The Constitution pipeline would carry fracked gas from northeastern Pennsylvania to New York and New England markets. If constructed, this could increase the pressure to frack in the Marcellus and Utica shales in western New York.</p> <p>The DEIS is severely flawed. The construction of the Constitution pipeline poses grave danger to the environment and to the health and lives of the nearby residents. Please reject the project to build the Constitution pipeline because the environmental impacts are too great. In addition, we agree that an alternative pipeline route that would cut through the New York City drinking water supply watershed should never be considered.</p> <p>We should stop building any new pipelines for transporting gas or oil and stop building any new fossil fuel and nuclear infrastructure. We should immediately and dramatically increase our investment in developing renewable energy sources such as solar, wind, wave, geothermal, etc.</p>

- IND397-1
- See the response to comment LA8-3 regarding drinking water. See the response to comments FA4-23 and IND104-2 regarding waterbody crossings. Section 4.4.5 of the EIS has been revised to provide updated information regarding wetland mitigation.
- IND397-2
- See the response to comment SA6-1 regarding methane leakage.
- IND397-3
- See the response to comment IND13-3 regarding safety. See the response to comment CO50-22 regarding the number of easements Constitution has obtained.
- IND397-4
- See the response to comment FA4-45 regarding hydraulic fracturing. See the response to comment FA1-1. The commentor’s statement regarding opposition to alternative K is noted.
- IND397-5
- Section 3.1.2.3 of the EIS provides a discussion of renewable energy.

# INDIVIDUALS

## IND398 – Joseph Falis

20140407-5043 FERC PDF (Unofficial) 4/6/2014 12:55:21 AM	
IND398-1	<p>Joseph Falis, Binghamton, NY.</p> <p>I could not attend the FERC hearing on the Constitution Pipeline but I wanted my opinion heard. I am writing you to express my support for the Constitution Pipeline. The pipeline will benefit our communities, the communities that need the most help. We all work hard and have wanted to benefit from our land, now is the time to let us.</p> <p>The Constitution doesn't just benefit the landowners, though. The Constitution Pipeline has begun working in conjunction with Leatherstocking Gas Company to bring natural gas to homes, municipalities, and commercial businesses along the route. Leatherstocking will be working to develop a natural gas distribution plan throughout Broome, Chenango, Delaware, and Madison County. They are going to maintain that the pipeline is "open access" for those specific reasons. Not only will many benefit from the jobs, taxes, and other sales revenues thanks to the pipeline, we will also see our businesses, homes, and municipalities benefiting without having to do anything at all. The Constitution Pipeline is helping our communities in more ways than we can even imagine. I simply cannot wait until 2015-2016. Let's approve the pipeline today!</p>

IND398-1

The commentator's statements in support of the proposed project are noted.

# INDIVIDUALS

## IND399 – Joel and Julie Wexler

S-1649

20140407-5045 FERC PDF (Unofficial) 4/6/2014 10:15:18 AM	
IND399-1	<p>Joel &amp; Julie Wexler, Davenport Center, NY.</p> <p>We are extremely concerned with the proposed Constitution Pipeline and the DEIS that has been issued. The environmental impact that the construction and maintenance of this pipeline project would have on our rural area is devastating. Our concern has intensified as we attended the FERC meeting in Oneonta, NY on April 2nd, where it became more apparent that many site specific environmental impact studies have not been fully conducted and that FERC may not require Williams Cabot to conduct said studies to the utmost extent. Theses studies, designed to protect our land and waters, should be deliberately and carefully initiated and monitored by all the appropriate agencies.This remains one of the prime responsibilities of FERC before any permits can possibly be considered.</p>
IND399-2	<p>As residents of the town of Davenport, we fully support the intervenor status the Town Board filed with FERC. We personally helped collate the results of the surveys, sent to all landowners of the Town.The overwhelming majority opposed the siting of the Constitution Pipeline through our town. Potentially over 125 properties would have the pipeline traversing their land. The majority of these landowners and their neighbors and fellow community members do not want this pipeline. The subsequent devaluation of their property values due to their inability to sell if they so choose will impact the whole community. Some will just walk away from their unsaleable homes and land, leaving an even greater tax burden on the rest of the community. We are on a fixed income and can only manage the taxes for our own property, much less assume more of a burden as people leave due to this pipeline.</p>
IND399-3	<p>We have been doing our due diligence in surveying our community members, supporting our Town Board's submission to FERC, attending meetings and writing letters. Now FERC must do their due diligence and demand all pertinent data and site specific studies and information pertaining to the Constitution Pipeline project before making a decision.</p>

IND399-1	See the response to comment FA1-1. See the response to comment CO37-10 regarding permits. See the response to comment FA4-3 regarding surveys.
IND399-2	The commentor’s statements in opposition are noted. See the response to comment LA5-3 regarding property values.
IND399-3	See the responses to comments FA1-1 and FA4-3.



INDIVIDUALS  
IND400 – Vera Scroggins

20140407-5046 FERC PDF (Unofficial) 4/6/2014 11:54:20 AM

Vera Scroggins, Brackney, PA.

IND400-1 | I would like to see in the DEIS , environmental report and elsewhere,  
how and why and any proofs that show this pipeline is of public convenience  
and necessity??  
I don't see the convenience or necessity .

IND400-2 | Williams Energy has a long list of safety issues, leaks, explosions ,  
accidents.  
How can you let them build another pipeline ?  
They should not be allowed to operate.

thanks,

- IND400-1      See the response to comment LA7-5 regarding public necessity.
- IND400-2      See response to comment CO47-1.

# INDIVIDUALS

## IND401 – Allegra Schecter

S-1651

20140407-5047 FERC PDF (Unofficial) 4/6/2014 1:19:32 PM

Allegra Schecter, Cherry Valley, NY.

April 6, 2014

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426  
Re: Docket Nos. CP13-499 and CP13-502

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3rd Floor  
Watervliet, New York 12189-4000  
Re: NAN-2012-00449-UBR

Dear Secretary Bose and Army Corps of Engineers;

IND401-1

In MARSHALL Co., WV, A Natural Gas line exploded between Waymans Ridge and Middle Grave Creek Saturday morning. The 12 inch ruptured gas line was caused by a slip in a hillside, resulting in an explosion and fire. Volunteer Fire Departments from Limestone, Moundsville, Cameron, Fork Ridge and the Marshall County tanker task force responded. NEWS9 has crews on the scene now.

Read More at: <http://www.wtov9.com/news/features/top-stories/stories/gas-line-explosion-moundsville-3808.shtml>

This is the second Williams owned, gas explosion this week. This was "only" a 12 inch line which ruptured when a hillside slipped. What happens when a 30 inch pipe line "slips" off a steep slope severely eroded by a torrential rain storm?

IND401-2

You have no idea what happens lately in this part of central New York when it downpours. THIS IS CLIMATE CHANGE MADE REAL. Tiny seasonal creeks become raging rivers. They may not even have been flowing, or active, at the time of the survey or installation of the pipe, but then a torrential rain fills them to overflowing and whole houses can be knocked off their foundations and huge boulders can slide down the steep slopes. This is without having previously been clear-cut of a 110 foot swath of trees, that would help to hold back the soil and water to keep the slope in place.

We had three of those incredible cloudbursts just last Summer, in 2013. The Towns of Van Hornesville and Fort Plain were devastated.

IND401-3

Blasting through bedrock to try to secure a 30 inch pipeline on a steep slope is a bad idea - an accident waiting to happen. Constitution should follow existing ROW's and avoid forested steep slopes and creeks and wetlands.

Thank you, Allegra Schecter

- IND401-1

See response to comment CO47-1. See the response to comment IND13-3 regarding safety.
- IND401-2

See the response to comment SA6-1 regarding climate change. See the response to comments CO1-5 and IND113-1 regarding flooding. See the response to comments CO1-4 and IND169-1 regarding erosion.
- IND401-3

See the response to comment CO43-8 regarding collocation. Sensitive resources, as well as potential impacts and mitigation, are discussed in the EIS for interior forest (section 4.5.3), waterbodies (section 4.3.3), steep slopes (sections 2.3.2, and 4.1.3; appendix G), and wetlands (section 4.4 and appendix L). Blasting is discussed in section 4.1.3.8 of the EIS.

**INDIVIDUALS**  
**IND402 – Dennis Gonseth**

S-1652

20140407-5048 FERC PDF (Unofficial) 4/6/2014 1:29:14 PM	
IND402-1	<p>Dennis Gonseth, Schoharie, NY.</p> <p>The following is a documentation of my concerns and objections as a registered Intervener with regards to the DEIS and the procedures at the public comment meetings held.</p> <p>My concerns are as a property owner adjacent to the proposed pipeline route at approx. mile 114.</p> <p>I have read over the DEIS , as well as many of the comments online. I attended the Cobleskill public comment hearing and would like to thank all the concerned parties for the effort put forth to determine the actual impact of this project. First I would like to remind the commission and all involved, that this pipeline is a "For Profit" endeavor. There is no directive to distribute natural gas for sole use of the citizens of New York or the US due to dire need. Keeping this in mind, I don't understand how there could be any other decision by this commission than to automatically recommend in favor of any other legitimate objection by any existing business that will be adversely affected by this project. Two examples of this are both my neighbor Ken Stanton's farm, and the Schoharie BOCES. Their concerns have been well documented and presented to this commission. With these two you have an institution that is offering students that may not thrive in a standard academic classroom environment an opportunity at a well paying career and the ability to be productive, skilled contributing members of our society. You also have a family owned business with multiple generations generating a vital product. With all being equal, I am not sure how you can recommend in favor of the want of increased profit for one business at the expense of other businesses. In addition, if you compare the histories of adherence to their respective regulations of the Constitution and it's affiliates to the BOCES or the Stantons, the entity that displays the least credibility and is least deserving of consideration to their requests would be Constitution.</p> <p>DEIS Section 5.1.9 (Socioeconomics) states that:</p> <p>"no evidence exists that a pipelines proximity to properties have any impact on their value".</p> <p>Now I quote from the executive summary:</p> <p>"We received comments regarding the effect of the project on property values and insurance policies. The real potential for these impacts is unclear and would likely be highly variable. To address this issue we are recommending that Constitution document any property insurance issues and describe efforts to coordinate with the affected landowners to mitigate impacts."</p> <p>I question the veracity of the studies quoted in section 4.9.5.</p> <p>I don't understand why the recommendation from this commission would be for Constitution to only document issues and describe efforts to coordinate to mitigate impacts. Why is the recommendation not more strongly worded to protect the landowner? The more ambiguous the wording is, the more difficult it will be to prove, and the more it will cost the landowner in legal fees, and time, to recover losses due to the pipeline's negative impact to property values.</p> <p>If the reality is that the pipeline's existence does not affect the property values, there should be no concern on Constitution's part to document clear cut responsibility of the theirs for this.</p> <p>If there is an actual negative effect on property values or insurance costs, it is the commissions responsibility to protect the landowners from this.</p> <p>My confidence in Constitution's ability to deal fairly and be a good steward for the lands and people affected by this project were shattered immediately in the process when I was told that I was the only person in my area that did not sign an approval allowing them access to my property. I soon found this was not true</p>
IND402-2	

IND402-1	See the response to comment LA7-5 regarding need and comment FA8-3 regarding eminent domain. Section 3.4.3.2 of the EIS has been revised to reflect our assessment of alternative routes related to the Stanton (where we recommended a minor route variation) and BOCES (where we recommended impact minimization measures) parcels.
IND402-2	See the response to comment LA5-3 regarding property values, insurance, and mortgages. See the response to comment CO47-1. See the response to comment FA1-1 regarding extension of the comment period.

# INDIVIDUALS

## IND402 – Dennis Gonseth (cont'd)

20140407-5048 FERC PDF (Unofficial) 4/6/2014 1:29:14 PM

IND402-2  
cont'd

after talking to my neighbors. I am not sure exactly how closely the pipeline would be to my property. I was told a 25' easement would run to my property line. I am also not sure what technique that are described in section 2.3 apply on the work done in my immediate area.

I have many questions and concerns with regards to this project. Most of them have been voiced already in other comments better than I could voice them. What I can voice is my belief that while I wouldn't expect to count on Constitution to look out for the best interests of the land, and inhabitants affected by this project. I am expecting the FERC to do just that.

Based on the lack of many issues having been addressed, and last minute additions to the project proposal which have also been documented in recent comments, I can only ask that more time is taken to address concerns, review recent proposals, and another public comment hearing set of meetings are scheduled and are controlled to allow for commentary without intimidation.

# INDIVIDUALS

## IND403 – Artineh Havan

20140407-5049 FERC PDF (Unofficial) 4/6/2014 2:17:52 PM	
	Artineh Havan, Brooklyn, NY.
IND403-1	1) Cumulative impacts, including those associated with the pipeline’s potential to encourage future fracking in New York, must be fully evaluated.
IND403-2	2) Alternatives to the use of proposed trenching methods, which involve digging a hole through a waterbody or wetland, should be fully evaluated for each and every proposed waterbody and wetland crossing.
IND403-3	3) Necessary information that FERC identified as missing from the DEIS must be submitted by Constitution before FERC makes a decision about significant environmental impacts.
IND403-4	I agree with its conclusion that a proposed alternative pipeline route that would cut through the New York City drinking water supply watershed is not viable and should not be considered further.

- IND403-1Cumulative impacts, including a discussion of hydraulic fracturing, are discussed in section 4.13 of the EIS.
- IND403-2Proposed crossing methods for waterbodies and wetlands are discussed in sections 2.3, 4.3, and 4.4 of the EIS. Alternative crossing methods, including trenchless methods, are included in this discussion.
- IND403-3See the response to comment FA1-1 regarding information that was pending at the time of issuance of the draft EIS.
- IND403-4The commentor’s statement regarding opposition to alternative K is noted.

# INDIVIDUALS

## IND404 – Miriam Solloway

S-1655

20140407-5050 FERC PDF (Unofficial) 4/6/2014 2:45:12 PM	
Miriam Solloway, Maryland, NY. April 6, 2014	
Kimberly D. Bose, Secretary The FERC 888 First Street NE, Room 1 A Washington, D.C. 20426	
Re: Dockets Nos. CP 13- 499 and CP 13- 502; NAN-2012-00449-UBR	
To Whom it may concern:	
Please deny permitting for the Constitution Pipeline for the following reasons:	
IND404-1	1. The pipeline will be a magnet for further natural gas drilling. Whether or not the natural gas, in any given place, is deemed "profitable" by the natural gas company, is determined by variables that include: a. Amount of gas produced. b. Kind of gas produced. c. Supply and demand/price of gas. With the unusually harsh winter here in the northeast, the price of all winter fuels, including propane & natural gas, showed a distinct increase. Shipping the gas overseas, will also increase the price to local people. d. HOW FAR THE GAS WELL IS FROM A TRANSMISSION LINE.
IND404-2	2. Problems, both seen and unforeseen, reported during the construction of the Millennium Pipeline, in Sullivan County, NY, included: a. Unauthorized cutting of trees.
IND404-3	Semis, hauling great lengths of pipes, had trouble negotiating the numerous bends and curves of the narrow, twisty, rural roads, so trees, along the roadsides, were cut down by the pipeline company, anywhere they thought they needed to, to navigate the twists and turns.
IND404-4	b. Huge amounts of dust were seen rising from the roads, and/or pipeline route, when the pipeline vehicles traveled them.
IND404-5	c. People were unable to use the roads on certain days and at certain hours, because they were blocked, either from the pipeline construction or because of the semis stopped, while the trees were being cut.
IND404-6	d. Destruction of back roads that were not made for the many, huge, heavy trucks hauling piping, and equipment, for building the pipeline. Some of these roads, have never been repaired.
IND404-7	e. Still problems including because the pipeline company now wants to place a compressor station, that will run 24/7, in a small community along its route. There is no limit on the amount of noise the compressor station can make. Compressor stations are known for leaking toxic fumes, and causing serious illness. The rural roads of Delaware County, NY, are just as narrow and twisty, if not even more so, as those noted.
IND404-8	3. Telecommunication towers, which were just recently added to the application, have their own set of problems.
IND404-9	4. The Constitution Pipeline is unneeded.
IND404-10	5. Acquiring people's land by eminent domain, is stealing, and not just land, but people's homes, jobs, livelihood, and dreams.
IND404-11	6. Natural gas pipelines, are well documented for leaking and causing explosions that often result in serious injury and even death.

IND404-1	See the response to comment FA4-45. See the response to comment LA7-5 regarding export. See the response to comment LA1-4 regarding hydraulic fracturing.
IND404-2	If the proposed projects receive authorization from the Commission, Constitution and Iroquois would only be permitted to clear trees in areas approved by the Commission as discussed in the EIS (see section 4.5 of the EIS) or approved as part of a post-certificate variance request (see section 2.5.4 of the EIS). As described in section 2.5.3, third-party compliance monitors under the direction of the FERC would conduct daily construction monitoring of Constitution and Iroquois' actions. Full-time FERC staff would also complete routine inspections in addition to the third-party monitors. Both the EIs and the third-party compliance monitors would complete inspections on a daily basis and would have stop-work authority.
IND404-3	As discussed in section 4.8.1.5 of the EIS, some of the proposed access roads would require improvements including the addition of gravel or culverts and the removal or clearing of trees in order to accommodate the movement of equipment and materials to the construction right-of-way (appendix E). Any additional clearing of trees beyond what is currently proposed by Constitution and Iroquois would require additional review by the Commission.
IND404-4	As discussed in section 4.3.3.5 of the EIS, Constitution and Iroquois would also use municipal water sources for dust control activities. The Applicants would obtain all appropriate permits and authorizations required prior to conducting any dust control activities.

# INDIVIDUALS

## IND404 – Miriam Solloway (cont'd)

IND404-5	<p>As discussed in section 4.9.4.1 of the EIS, Constitution developed a Residential Access and Traffic Mitigation Plan. The plan contains details regarding:</p> <ul style="list-style-type: none"><li>• locations and types of temporary traffic control measures, including signage, channelization devices, barricades, and flagmen;</li><li>• a communication plan for public notification of the location and duration of road closures;</li><li>• crossings of private driveways; and</li><li>• emergency access response management, which includes establishing temporary travel lanes and the staging of steel plate bridges on-site to place over the open trench in the event that emergency vehicles need to use the roadway.</li></ul> <p>We determined that Constitution's plan would adequately reduce impacts on traffic flow. Based on the mitigation measures listed above, we expect the impacts from construction across and within roadways to be minor and temporary.</p>
IND404-6	<p>See the response to comment LA1-1 regarding road repairs.</p>
IND404-7	<p>Constitution and Iroquois are proposing to modify the existing Wright Compressor Station rather than install a new compressor station. See the response to comment CO41-21 and IND13-14 regarding air quality. See the response to comment SA2-2 regarding noise impacts.</p>
IND404-8	<p>See the response to comment SA2-1 regarding the communication towers.</p>
IND404-9	<p>See the response to comment LA7-5 regarding need.</p>
IND404-10	<p>See the response to comment FA8-3 regarding eminent domain.</p>
IND404-11	<p>See the response to comment IND13-3 regarding safety. See the response to comment SA6-1 regarding methane leakage.</p>

INDIVIDUALS

IND404 – Miriam Solloway (cont'd)

20140407-5050 FERC PDF (Unofficial) 4/6/2014 2:45:12 PM

IND404-12

The accompanying infrastructure, including compressor stations, are also known for causing serious health affects.

IND404-13

7. Destruction and/or fragmentation of wildlife habitat.

IND404-14

8. Making flood prone areas even more flood prone.  
The area of Delaware County, N.Y., proposed for the pipeline, is already prone to devastating flooding. Building of the pipeline would make this existing problem even worse, by providing new pathways for floodwaters. On 1/9/13, the NY State Governor's office said, "There is a 100 year flood, every 2 years now."  
9. The resulting contamination of water, air & soil.

IND404-15

The Constitution Pipeline would have many devastating affects on people, plants, animals, and the environment.  
Some of these affects can NOT be mitigated. They can NOT BE ALLOWED TO HAPPEN!  
These are just a few of the many valid reasons why the Constitution Pipeline Permit must be denied.  
  
Thank you.  
  
Sincerely,  
Miriam Solloway  
Maryland, N.Y. 12116

- IND404-12

See the response to comment CO57-4.
- IND404-13

Interior forest and forest fragmentation are discussed in section 4.5.3 of the EIS.
- IND404-14

See the response to comments CO1-5 and IND113-1 regarding flooding.
- IND404-15

See the response to comment CO1-2. The commentor's request that the proposed projects be denied is noted.



# INDIVIDUALS

## IND405 – Julie Solloway

S-1658

20140407-5051 FERC PDF (Unofficial) 4/6/2014 2:51:52 PM

Julie, Maryland, NY.  
April 6, 2014

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426

Re: Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR

Dear FERC Secretary, Kimberly D. Bose,

No matter which route is looked at for the constitution pipeline, all of the following apply and show why you should deny a permit for it:

- IND405-1 1. It is unneeded.
- IND405-2 2. Communication towers the applicant has recently added to the application will cause additional problems.
- IND405-3 3. Dangerous.
4. Immoral.
5. Unethical.
- IND405-4 6. Opens up the area to fracking and unconventional natural gas exploration, exploitation, and it's devastating affects to the health of people, plants, and animals, plus contaminating air, soil, and water.
- IND405-5 7. Stealing of people's land by eminent domain.
- IND405-6 8. During the building of the millennium pipeline, while transporting, when they came to corners and bends in the rural roads, they sawed down ALL the trees. Also, people were unable to use the roads because they were blocked.
9. The proposed staging area in Schenectady, NY is in a flood plain and close to the school.
- IND405-7 10. The only way to mitigate contaminated water and adverse health affects from the constitution pipeline is not to build it at all.
- IND405-8
- The only way to mitigate contaminated water and adverse health affects from the constitution pipeline is to not build it at all.
- There is no way that the constitution pipeline can be put in and not devastate the area, including peoples health.
- Deny the permit for the constitution pipeline.

Thank you.

Sincerely,  
Julie Solloway  
Maryland, NY 12116

- IND405-1 See the response to comment LA7-5 regarding need.
- IND405-2 See the response to comment SA2-1 regarding the communication towers.
- IND405-3 The commentor's statements regarding the proposed project are noted. See the response to comment IND13-3 regarding safety.
- IND405-4 See the response to comment FA4-45.
- IND405-5 See the response to comment FA8-3 regarding eminent domain.
- IND405-6 See the responses to comments IND404-3 and IND404-5.
- IND405-7 We assume the commentor is referring to the Spread 4b contractor yard. This contractor yard is no longer part of Constitution's proposal (see section 2.2.3 of the EIS).
- IND405-8 The commentor's opposition to the proposed projects is noted.

INDIVIDUALS  
IND406 – Cathy McNulty

S-1659

20140407-5052 FERC PDF (Unofficial) 4/6/2014 3:14:31 PM

Cathy McNulty, Unadilla, NY.

IND406-1 I am writing to express my disgust at the FERC hearing process I witnessed in Afton NY. Mat Swift of Constitution Pipeline arranged to have bused in at least 100 Union members to disrupt and overwhelm the residents who will have to live with this high pressure methane gas line, full time, no going home elsewhere at night no holidays, sick days to be determined. Instead of controlling the proceeding the FERC Moderators allowed this orange clad mob to boo, hiss, stamp their feet and try to intimidate speakers while they were presenting and also near the end of their allotted time. Instead of warning the disrupters, FERC Moderators allowed or instructed two policemen to march down the aisle and take the microphone away from speakers. Shouldn't the police or FERC Moderators have warned those disrupters that the hearing room would be cleared? How is wanting to speak worse than the overwhelming and upsetting intimidation of those hecklers? Encouraged by their fellows and the lack of restraints by FERC Moderators they shouted such remarks as "How would you like to be married to that?", "Get a job!", and curiously since they had been bused in from great distances "Go back to where you came from!" and most egregiously "You better hope I don't follow you out of here tonight!" One Union member was allowed to ask his brothers to recite the pledge of allegiance, high-fiving it back up the aisle to shouts and whistles. Why was this allowed by FERC Representatives running this meeting? I can only conclude that FERC Moderators didn't understand that this was an attempt to disparage the patriotism of those against the project or those who had specific objections. Certainly a Public Meeting should be conducted in a respectful manner, giving all citizens an opportunity to speak without harassment. I ask FERC to hold a Public Meeting in Delaware County where none has been held so far despite the huge swaths of land at risk.I

IND406-2 ask that FERC extend the comment period.I have not been able to study even the portion that will effect my home directly. My Town of Sidney is beginning to understand the full ramifications of this proposal and is meeting to discuss intervening on our behalf. Please extend the comment period for our Town to be able to comment. Please also Publicly apologize to all those citizens who should have been treated with more respect and who will in future not be willing to participate in a process where they feel disrespected and unprotected.

IND406-1 The commentor's statements regarding the comment meeting and a request for public meeting in Delaware County are noted. See the response to comment CO50-108.

IND406-2 See the response to comment FA1-1 regarding an extension of the comment period.

INDIVIDUALS  
IND407 – Michael Barnes

S-1660

20140407-5053 FERC PDF (Unofficial) 4/6/2014 4:09:44 PM	
Michele Barnes, Hightstown, NJ. Michele Barnes, 117 Dutch Neck Road, Hightstown, NJ 08520 Henry Miller, 830 Carter Lane, Paramus, NJ 07652 Nancy Miller, 816 Fairview Lane, Fort Lee, NJ 07024	
March 31, 2014	
Kimberly D. Bose, Secretary. The FERC. 888 First Street NE, Room 1A, Washington DC 20426	
US Army Corps of Engineers. New York District, CENAN-OP-R. Upstate Regulatory Field Office. 1Buffington Street, Bldg. 10, 3rd Floor. Watervliet, NY 12189-4000	
RE: Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR Property: ALT-O-NY-SC-007.000	
IND407-1	What does our property mean to us? It means everything. What does your car or wallet or cell phone mean to you? How would you feel if someone told you they were going to take your car-because they needed it and were going to make money from using it? It would still be your car, in your name and you still have to pay for it and keep it full of gas. But, you cant use it as you do now or even as you want to because I need it. You'd say go get your own car-don't take mine. Well I say to Constitution and FERC don't take my land!  Our land has been in our family for 60 years. It's been a farm, apple orchard, graveyard and even a small plane runway. It's part of a parcel that has road frontage with million dollar views. It is upgradient of the Cobleskill Reservoir and has 5 wells on it that have never gone dry. It is currently virgin young forest so we cant begin to list the wildlife and vegetation living on it. In the future it will be multiple homesteads for members of our family. Can FERC guarantee we will be able to get mortgages if they allow the pipeline to go through our land? Our land is everything to us. It's a summer escape and a green environment. It's currently, a safe place for our children to grow. It's love, life and laughter. It's priceless.
IND407-2	We have asked FERC and Constitution to stop the pipeline, move the pipeline off our property, relocate the pipeline on our property. We hired a lawyer to negotiate terms of the pipeline and fired a lawyer due to the lack of those terms. Simple indemnification was denied us. We're commenting to you. What else can we do?? We're going 100% for eminent domain. We're getting the best lawyer we can-in or out of area. We're getting our land assessed, water tested and future building sites noted. We're going to network with as many people as we can. We're simply going to fight the pipeline for as long as we can to the very end.  What's so frustrating is that there is state land and existing private land easements and access roads already available further south of our property-feet not miles away-- that should've been chosen as a primary route for this pipeline from day one. Our property ALT-O-NY-SC-007.000 is along Greenbush Road, Cobleskill NY. We have strongly urged the pipeline to cut across Tower Road further south and use existing roads/easements across the ridge down-gradient of the Cobleskill Reservoir across state land -evading private property and cut across Patria Rd-a Verizon easement Road already exists there-and then join the

IND407-1	The commentors' statements regarding their land are noted. See the response to comment FA8-3 regarding eminent domain. See the response to comment LA5-3 regarding mortgages.
IND407-2	Section 3.4.3.2 of the EIS has been revised to discuss this parcel. We support the collocation of pipelines with existing utilities where practical and recognize the value of collocation in regard to environmental resources. However it is not always practical or feasible to collocate with an existing utility. See the response to comment LA5-3 regarding insurance, property values, and mortgages. The commentor's request to deny the proposed projects is noted.

INDIVIDUALS  
IND407 – Michael Barnes (cont'd)

S-1661

20140407-5053 FERC PDF (Unofficial) 4/6/2014 4:09:44 PM	
IND407-2 cont'd	<p>primary route as it exits now. We are begging the pipeline be moved further south onto state property. With only 9% of the pipeline cutting across state land it's not asking too much to use a few acres more and maybe increase the usage to 10%. The fact that only 9% of the pipeline affects NY State land is a disgrace. NY wants to rake in the money from the pipeline in many ways but force it onto private land and FERC is ok with that? Constitution is going to make billions of dollars on this pipeline. They can afford to make loops all over and around NY State but people cant afford to move their homes and livelihoods.</p> <p>There should be certain mandates, rules or laws made that pipeline prospectors should have to follow across the country:</p> <p>A formula should be made so that a certain % of state land should have to be used in proportion to private land or recompense made by localities to landowners</p> <p>Tax breaks at the local, county, state and federal levels should be routine for landowners having easements and right-of-ways on their property.</p> <p>The pipeline owners-whatever configuration of corporations that might be- should have to provide homeowners insurance and mortgage guarantees to all landowners who are directly impacted by the pipeline.</p> <p>FERC should remember they work for the taxpayer-the little guys whose land is being taken left and right.</p> <p>We ask, implore and beg FERC and the NY District US Army Corps of Engineers to deny Constitution the permit to construct this pipeline. We ask FERC to specifically reconsider the use of our property ALT-0-NY-SC-007-000. We ask that our property be removed from the pipeline's path altogether. We also ask to have the powers that be at least move the path of the pipeline to the borderline of our property so that we don't have a "dead zone" of property between the projected easement and our property line. We ask these things to save Constitution the complications of dealing with eminent domain and a hostile neighborhood. We ask this in the hope of preserving the rural beauty of NY State. We ask these things as proud citizens of the great United States of America whose government is for the people, by the people.</p> <p>Thank you, Michele Barnes Henry Miller Nancy Miller</p>

# INDIVIDUALS

## IND408 – Kristina Fedorov

20140407-5054 FERC PDF (Unofficial) 4/6/2014 4:20:31 PM

Kristina Fedorov, Maryland, NY.  
Dear Sirs:

IND408-1 I am writing to voice my opposition to the Constitution Pipeline. As a resident of Otsego County, NY, the proposed route through neighboring Delaware County presents unacceptable risks to the environment by cutting through 36 miles of forest, destroying thousands of trees and habitat for wildlife. Much of this is also on steep hillsides, creating the very real possibility of mudslides with storm runoff. There is also the danger of water contamination with the blasting through bedrock and the inevitable spills that will occur. IND408-3 Increased truck traffic on narrow, rural roads ill-equipped to handle such extreme industrialization would cause accidents, noise, and road degradation. IND408-4 The jobs offered are mostly temporary, non-local positions. IND408-5 This whole system encourages further exploitation of our land for extreme gas drilling, whose production will drop dramatically within 20 years, if not sooner. In the meantime, this natural gas, going through the Constitution and other pipelines, is slated to go on the world market, going to the highest bidder--most probably China and India, where they pay far more for fuel than we do. Where is the advantage for American consumers, who have sacrificed their land, health, and well-being? Fuel prices will not drop significantly, but will rise eventually. After all, this is business. The only real winners here are the corporations, who even get tax breaks and loopholes. IND408-6 It just doesn't make sense to make such an enormous investment with such enormous risk for only a few years! It would be far better to think long-term, stop this insanity, and put all these efforts and resources into renewables. Thank you.

Kristina Fedorov

- IND408-1 The commentor's statements in opposition to the proposed projects are noted. Sensitive resources, as well as potential impacts and mitigation, are discussed in the EIS for interior forest (section 4.5.3) and wildlife (section 4.6).
- IND408-2 See the response to comments CO1-4 and IND169-1 regarding erosion.
- IND408-3 See the response to comment IND110-6 regarding water quality and blasting. See the response to comment CO16-3 regarding spills of hazardous materials.
- IND408-4 See the response to comment CO41-23 regarding industrialization of the project area. See the response to comment IND404-5 regarding traffic. Noise is discussed in section 4.11.1 of the EIS.
- IND408-5 See the response to comment IND205-1.
- IND408-6 See the response to comment FA4-45 regarding hydraulic fracturing. See the response to comment LA7-5 regarding export. See the response to comment IND205-3 regarding fuel prices. Section 3.1.2.3 of the EIS provides a discussion of renewable energy.

INDIVIDUALS  
IND409 – Cathy McNulty

20140407-5055 FERC PDF (Unofficial) 4/6/2014 5:54:34 PM	
IND409-1	<p>Cathy McNulty, Unadilla, NY.</p> <p>In terms of environmental impacts I submit that Williams Company’s safety record make them unacceptable as an agent to trust with our precious water and air. I believe their safety record and their treatment of landowners makes them an untrustworthy agent and this project should not be placed in their hands.</p> <p>1984 Nov 18, A Williams Companies 6 inch pipeline ruptured in New Brighton, Minnesota, causing a spill of 40,000 to 50,000 gallons of jet fuel in an industrial area.</p> <p>1986 July 8, a Williams Companies petroleum products pipeline ruptured in Mounds View, Minnesota. Gasoline at 1,434 psi sprayed a residential area, then ignited. 2 dead.</p> <p>1996, Dec 11 a natural gas line operated by Williams ruptured just north of Tonganoxie Kansas.</p> <p>2003 May 1, a 26-inch Williams Companies natural gas transmission pipeline failed near Lake Tapps, Washington. A neighboring elementary school, a supermarket, and 30 to 40 homes in approximately a 4-mile (6.4 km) area were evacuated. There was no fire or injuries. The failure was later determined to be from Stress corrosion cracking. 4 previous failures on this pipeline in the preceding 8 years</p> <p>2003 Dec 13, Another section of the same Williams Companies gas transmission pipeline that failed on May 1 failed in Lewis County, Washington. Gas flowed for 3 hours before being shut off. Gas pressure had already been reduced 20% on this pipeline after the May 1 explosion. External corrosion &amp; Stress Corrosion Cracking were seen in this failed area.</p> <p>2003-4 FINED \$20 million in federal investigation for allegedly reporting false data to manipulate the California natural gas market. Williams pays California \$417 million to settle case. Source: Los Angeles Times, 12/18/04</p> <p>2007 Williams pays \$290 million to settle a class action lawsuit filed by its own shareholders in 2002 for allegedly hiding “the firm’s plummeting fiscal picture.” Source: Securities Class Action Clearinghouse, Stanford Law School.</p> <p>2008 (Sept) Natural gas explosion in Appomattox, Virginia [Transco] Two homes destroyed, damage to about 100 other houses and multiple injuries. • The pipe split at just below the maximum allowable operating pressure. There was a deafening roar and shaking that many people believed was an airplane crash or earthquake. • A 32-foot section of a 30-inch diameter pipe tore loose and came out of the ground, blowing gas. • A nearby power line came loose, and struck the ground, causing the spark that ignited the fire. Property damage exceeds \$3 million. Source: WSLs, NBC-TV affiliate in Roanoke.</p> <p>2009 FINED \$925,000 for failure to monitor corrosion, which caused the Virginia pipeline explosion in 2008. Source: see above.</p> <p>2011 (June) Williams subsidiary FINED \$23,000 by PHMSA for failure to conduct its own annual inspections of compressor stations in Texas and Louisiana. Source: US Pipeline and Hazardous Materials Safety Administration.</p>

IND409-1      See response to comment CO47-1.

# INDIVIDUALS

## IND409 – Cathy McNulty (cont'd)

S-1664

20140407-5055 FERC PDF (Unofficial) 4/6/2014 5:54:34 PM

IND409-1  
cont'd

2011 (Dec) A Williams/Transco pipeline ruptured with an explosion in southwestern Alabama; the blast could be heard 30 miles away. Flames shot nearly 100 feet in the air for more than an hour. Source: Demopolis Times

2012 (March) An explosion at the Lathrop compressor station in Susquehanna County, PA, blows a hole in roof, shaking homes as far as a half-mile away and drawing emergency responders from nearby counties. Source: Times Tribune, Scranton, March 30

2012 (March) Transco/Williams FINED \$50,000 by PHMSA for failure to follow own internal policies to control corrosion in natural gas pipeline in NYC-- Staten Island. Source: Natural Gas Watch.

2012 (July) A compressor station operated by Williams Companies in Windsor, New York, was venting gas in a "routine procedure"--during a lightning storm!--when the vent was ignited by lightning, causing an explosion and huge fireball.

2013 (March) Williams natural gas plant leaks benzene, which causes cancer, in Parachute, Colorado, contaminating groundwater. In some places, benzene level is 36,000 times greater than the level considered safe for drinking. Source: Denver Post, March 28, 2013

2013 (March) Williams 24-inch gathering pipeline ruptures in Marshal County, West Virginia. Source: Reuters, March 22

2013 (May) Fire in Williams compressor station near Montrose, PA. Bulging walls indicate an explosion "may have occurred." Source: Times Tribune, Scranton, May 16.

2013 (May) Fire in Williams compressor at Branchburg, NJ, sends two workers to hospital.

2013 (June) Explosion and fire kills 2 people, injures 114 people at Williams Geismar natural gas chemical plant in Louisiana. 31,000 pounds of toxic chemicals released. Investigation reveals 3 years of noncompliance with federal Clean Air Act. Sources: New Orleans Times-Picayune, CNN

2013 (July) Benzene levels in surface water double again near the Williams gas plant in Parachute, Colorado. Levels in groundwater remain much higher than the limit. Williams blames a mechanical failure. "It released more than 10,000 gallons of hydrocarbon liquids from a valve on a pipeline..." according to a newspaper report. Source: Denver Post, July13.

2013 (Dec) Williams Partners fined \$99,000 by OSHA for Geismar Olefins disaster.

2014 (Jan) Fire at Windsor, NY, compressor station, second in less than two years.

2014 (March) Fire and explosion at a Williams LNG facility in Plymouth, WA. Source: Reuters

2014 (April) Explosion and fire in a pipeline supplying a Williams-owned facility in Moundsville, WV. Source: WTOV / WOWK

This is a partial list of spills, explosions, fires and business dealings of the Williams Co.

INDIVIDUALS

IND409 – Cathy McNulty (cont’d)

S-1665

20140407-5055 FERC PDF (Unofficial) 4/6/2014 5:54:34 PM	
IND409-1 cont'd	<p>For a more extensive list, go to Google and use this search term:</p> <p>Williams Safety and Compliance Record</p> <p>Williams Co. is asking the NYS Public Service Commission for permission to double capacity at the Windsor compression station. Meanwhile, the facility has been violating the Town of Windsor noise ordinance since it began operating. After two fires at the site, should the facility be allowed to expand?</p> <p>And just this week while asking FERC for more chances to blow us up with the Constitution Pipeline:</p> <p>March 31, 2014 Williams Partners LNG Facility in Plymouth, Washington: explosion and fire.</p> <p>April 5, 2014 Williams facility in Moundsville WV; Pipeline explosion and Fire.</p> <p>I propose an immediate halt to all Pipeline Proposals by this Company because they are incapable of committing to the successful completion and maintenance of any project as evidenced by their record.</p>



**INDIVIDUALS**  
**IND410 – Cathy McNulty**

20140407-5056 FERC PDF (Unofficial) 4/6/2014 6:03:10 PM	
IND410-1	<div>Cathy McNulty, Unadilla, NY. <a href="http://www.youtube.com/playlist?list=PLo1TDxDrIRYptVLK0DF3LjNkXZpYT-VTz">http://www.youtube.com/playlist?list=PLo1TDxDrIRYptVLK0DF3LjNkXZpYT-VTz</a> I respectfully submit this informational video about Pipeline impacts on communities and environment.</div>

IND410-1      The commentor’s link to a series of internet videos is noted.

# INDIVIDUALS

## IND411 – Michael Fedorov

20140407-5057 FERC PDF (Unofficial) 4/6/2014 6:16:48 PM

Michael Fedorov, Maryland, NY.

Dear Sirs:

IND411-1

I am against the current planned path, or any path, of the Constitution Pipeline in New York State. To me, it seems unbelievable that today, with overwhelming proof of climate change due to fossil fuel use, that people think that scarring our countryside, endangering our environment, putting at risk our health and safety is a good idea. In my opinion, its downside is unacceptable when you consider all this infrastructure is a waste of time and money for a limited and non-renewable source of fuel with higher greenhouse gases in its production than even oil and coal. It is a sign of desperation when corporations are using methods of extraction (of the gas that will flow through the pipeline) that include pumping thousands of gallons of toxic chemicals, contaminating millions of gallons of clean water, and exploding shale formations miles underground for every single well multiple times. It seems greed has driven these people insane! There are thousands of sane, educated scientists and scholars that see the writing on the wall. Don't waste our time on a pipeline leading to a future I would not wish on anybody's children. Instead, let's invest in clean, renewable energy before it's too late.

Thank you.

Michael Fedorov

IND411-1

The commentor's opposition to the proposed projects is noted. See the response to comment SA6-1 regarding climate change. See the response to comment LA1-4 regarding hydraulic fracturing. Section 3.1.2.3 of the EIS provides a discussion of renewable energy.

INDIVIDUALS  
IND412 – Cathy McNulty

S-1668

20140407-5058 FERC PDF (Unofficial) 4/6/2014 6:36:12 PM

IND412-1 Cathy McNulty, Unadilla, NY.  
I ask FERC to deny this application for Constitution Pipeline because the rapid growth of this industry as a whole is unpoliced and unsafe especially in an atmosphere of rapid expansion without accompanying safeguards and oversight.

I refer you to the 1985- 2000 Pipeline accident Reports as reported by the National Transportation and Safety Board.

I refer you to Comments made at the Hearing for Re-authorization of the natural gas pipeline safety and the hazardous liquid pipeline safety act of 106th Congress Feb 3, 1999, wherein these statements occur  
"There is an enormous potential for the loss of human life, and also, for harm to the environment, and we cannot afford to become complacent about pipeline safety." - Hon. Joe Barton, Chairman of the subcommittee on energy and power. Page 2, paragraph 5.  
"In 1997 and 1998, there were over 200 hazardous liquid pipeline incidents resulting in over \$40 million in property damage and approximately 95 natural gas pipeline incidents...resulting in \$20 million in property damage. Ten injuries and one fatality occurred from these accidents." - Frank Pallone Jr., a Representative in Congress from the state of New Jersey. Page 4, paragraph 10.  
"Of all the Department of Transportation (DOT) administrations, the Office of Pipeline Safety (OPS) has the worst acceptance rate of safety board recommendations." - ad lib., Page 7, paragraph 1.  
"The potential exists for thousands more deaths and far greater damage to natural resources and property to occur." ad lib., Page 7, paragraph 12.  
"...the [DOT] has chosen to ignore a number of proposed safety improvements recommended by the National Transportation Safety Board over the years as a response to specific accidents that have taken place at U.S. Pipelines." - Edward J. Markey from Massachusetts. Page 12, paragraph 5.  
"The Pipeline Safety Act of 1992 gave OPS the mandate to develop pipeline standards that protect the environment protection regulations to date. There simply is no excuse for OPS's complete failure to meet congressional deadlines for environmental protection standards." - Lois Epstein, licensed engineer with the Environmental Defense Fund in Washington D.C. Page 59, paragraph 13.  
"Additionally, OPS has an extremely poor record of enforcing existing and developing new safety requirements." ad lib., Page 59, paragraph 14.  
A point of interest is that the OPS is funded by the pipeline companies, and due to the OPS' small staff, accidents are punished only when the pipeline companies report on themselves or are too big to miss.  
I refer you to the reauthorization of the Natural Gas Pipeline Safety Act and the Hazardous Liquid Pipeline Safety Act. Hearing before the Subcommittee on Energy and Air Quality of the Committee on Energy and Commerce, House of Representatives. One hundred seventh congress, second session. March 19, 2002, wherein this statement has been recorded  
The following testimony is by Democratic Congressman John D. Dingell - MI.  
  
"Concerned that the combination of a weak law and an absence of regulation are also recipes for a disaster. Just over 3 years ago, I asked the General Accounting Office to investigate the effectiveness of both OPS and the 1996 law. "GAO's May 2000 report revealed an agency that places a disturbing amounts of faith in the industry that is supposed to regulate it, and it is either unable or unwilling to carry out the responsibilities that it has under the law." The report found the following six things:

IND412-1 See the response to comment CO47-1 regarding safety inspections.

INDIVIDUALS

IND412 – Cathy McNulty (cont’d)

20140407-5058 FERC PDF (Unofficial) 4/6/2014 6:36:12 PM

IND412-1  
cont'd

1. "OPS had almost eliminated the use of fines, reducing the use of monetary penalties by more than 90 percent between 1990 and 1998."  
2. "...at the same time that OPS stopped fining violators, major pipeline accidents increased by approximately 4 percent annually, and killing 226 people, and injuring over 1,030 others, and resulting in about \$700 million in property damage.  
3. "...OPS was not complying with the law, and it failed to implement nearly half of the 49 requirements mandated by Congress since 1988 to improve the safety of pipelines.  
4. "...OPS repeatedly ignored recommendations by [the National Transportation Safety Board]."  
5. "...OPS information on pipeline accidents is extremely limited and ill-managed.  
6. "...OPS was moving ahead with a risk-based approach to safety regulation, despite a complete lack of quantifiable evidence to justify such a change."

I submit that we don't know how safe we are and that the agency that oversees our safety OPS is lax and understaffed and relies on the industry to police themselves.

INDIVIDUALS  
IND413 – Katherine O'Donnell

20140407-5060 FERC PDF (Unofficial) 4/6/2014 7:15:16 PM

Katherine O'Donnell, Oneonta, NY.  
Your Name KATHERINE O'DONNELL  
Your Address 503 State Hwy 28 Oneonta, NY 13820

Date 4/ 5/14

Kimberly D. Bose, Secretary	US Army Corps of Engineers
The FERC	New York District, CENAN-OP-R
888 First Street NE, Room 1A	Upstate Regulatory Field Office
Washington, D.C. 20426	1 Buffington Street, Bldg. 10, 3rd Floor
	Watervliet, New York 12189-4000

Re: Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR

IND413-1 | The damages to our health, safety, forests, animal species, and property far exceed benefits claimed by the gas industry. These extensive and far-reaching damages are beyond mitigation.

Sincerely,

Name KATHERINE O'DONNELL, Ph.D.

IND413-1      The commentor's statements are noted. See the response to comments CO1-1 and CO1-2.

# INDIVIDUALS

## IND414 – Harold D. Wright

S-1671

20140407-5062 FERC PDF (Unofficial) 4/6/2014 8:01:45 PM

Harold D Wright, Schoharie, NY.  
Dear FERC and USACE,

IND414-1

Please move the pipeline to an existing ROW or terminate the application. Please help me as I have tried many times to be polite and forthcoming with you. I have taken pictures of what the pipeline will destroy and written to you on what will be affected.

IND414-2

The DEIS does not address the following problems with the current route. The pipeline route is within 200 feet of my well, within 200 feet of my neighbor's well and 35 feet from my drinking water level in the valley's aquifer. It also fails to address the impact on the giant wetlands of Eckerhollow, the natural estuary that will be destroyed and the fact that these wetlands flood numerous times throughout the year. It also does not address the fact that the proposed route stands to pollute the town of Cobleskill's reservoir by passing above it and polluting the run off and springs that feed the reservoir.

IND414-3

IND414-4

IND414-5

Please I am asking you to move this pipeline to an existing ROW or terminate the application. As I do not want to have to take further action, such as looking into filing a Citizen Suit under the Clean Water Act and the Safe Drinking Water Act. Please take the time and either move this pipeline to an existing route or terminate the application. Thank you for your time and help.

Sincerely,

Harold Wright

- IND414-1

The commentor's request to move the pipeline to existing rights-of-way is noted. See the response to comment FA4-21 regarding collocation.
- IND414-2

See the response to comment LA10-3. Section 4.3.1 of the EIS discusses ground water resources.
- IND414-3

Sensitive resources, as well as potential impacts and mitigation, are discussed in the EIS for wetlands (section 4.4 and appendix L). See the response to comments CO1-5 and IND133-1 regarding flooding.
- IND414-4

See the response to comment IND348-1 regarding the Cobleskill reservoir.
- IND414-5

See the response to comments CO1-1 and CO1-2.

**INDIVIDUALS**  
**IND415 – Michael Bosetti**

20140407-5063 FERC PDF (Unofficial) 4/6/2014 8:02:08 PM

IND415-1 Michael Bosetti, Syracuse, NY.  
Now is the time to build infrastructure for the inevitable switch to renewable sources of energy. The idea of taking unnecessary risks with fossil fuel use and transport and mitigating the adverse consequences is not feasible anymore, or necessary. Every roof top in the country can be equipped with grid tied solar. That is the primary infrastructure we need to be building now. No more pipelines. Thank you.

IND415-1 Section 3.1.2.3 of the EIS provides a discussion of renewable energy.

# INDIVIDUALS

## IND416 – Dorothy Mackie

S-1673

20140407-5065 FERC PDF (Unofficial) 4/6/2014 8:19:37 PM	
Dorothy Mackie, Morris, NY. April 6, 2014	
Kimberly D. Bose, Secretary FERC 888 First Street NE, Room 1-A Washington, DC 20426 Floor	US Army Corps of Engineers New York District, CENAN-OF-R Upstate Regulatory Field Office 1 Buffington Street, Bldg. 10, 3rd Watervliet, NY 12189-4000
Dear Sirs:	
IND416-1	My name is Dorothy Mackie and I live in the town of Morris, NY, where I am a homeowner and a landowner. Morris is in Otsego County, which overlies both the Marcellus and Utica shale formations. I would like to go on record as being strongly opposed to the construction of the Constitution pipeline.
IND416-2	In my opinion, construction of a pipeline would have a direct influence on the activity of proposed gas drilling in New York State. If approved, gas drilling would bring numerous negative results, including, but not limited to, contamination of water, pollution of the air, negative impacts on health, destruction of roads and bridges, decreased home values, inability to get a home mortgage, etc.
IND416-3	The pipeline itself would damage the environment, would encourage industrial development, and would negatively impact on the rural character of our state. Land will be "stolen" from unwilling landowners by the misuse of eminent domain
IND416-4	solely for the profit of corporations and not for the benefit of the people. A pipeline would only promote a system for the export of gas, not for its use locally. Hazards resulting from potential leaks and explosions would accompany the pipeline.
IND416-5	
IND416-6	Many homeowners and landowners are opposed to the construction of a pipeline and to gas drilling; however, insufficient time has been given to the study of the proposed DEIS and for commenting on its contents. Last week I attended one of the few public hearings on this matter and was extremely distressed by the actions and behavior of the pro-pipeline attendees who dominated the meeting with their ill-behavior. More time should be granted to persons who wish to review the DEIS and submit their comments in a non-confrontational setting.
IND416-7	I am in favor of a statewide ban on gas drilling in New York State, which includes a ban on gas drilling and any gas drilling infrastructure, such as pipelines.

- IND416-1 The commentor's statements in opposition to the proposed projects are noted.
- IND416-2 See the response to comment FA4-45. See the response to comment CO1-2. See the response to comment CO57-4 regarding health impacts. See the response to comment LA1-1 regarding road repairs. See the response to comment LA5-3 regarding property values and mortgages.
- IND416-3 See the response to comment CO41-23 regarding industrialization. See the response to comment FA8-3 regarding eminent domain.
- IND416-4 See the response to comment IND10-5 regarding benefits. See the response to comment LA7-5 regarding export.
- IND416-5 See the response to comment IND13-3 regarding safety. Section 4.12 provides a discussion of pipeline leaks..
- IND416-6 See the response to comment FA1-1 regarding an extension of the comment period. See the response to comment CO50-108 regarding the comment meetings.
- IND416-7 The commentor's request to ban hydraulic fracturing is noted.



# INDIVIDUALS

## IND417 – N

S-1674

20140407-5064 FERC PDF (Unofficial) 4/6/2014 8:09:14 PM	
N, New York, NY. FERC Constitution pipeline comments CP13-499 and CP13-502	
IND417-1	<p>1. Extend the comment period for the Constitution and other pipelines in NY State to allow time NYSDEC, the EPA and other concerned parties to evaluate the additional date being received.</p> <p>Extend the period so other interested parties have more time - the comment procedure is neither clear nor simple which means that many who would like to comment on the proposed pipelines will not be able to do so. Simplify the comment process.</p>
IND417-2	<p>2. Evaluate the cumulative environmental, health, economic, and social impacts associated with this project and the potential build-up of fracking in the region that could result if this pipeline were built. This is an area that contains precious water resources for millions of people. Some things are more important than fossil fuels.</p>
IND417-3	<p>3. Because so much drinking water comes from this area reject the use of any defoliant used to clear the proposed pipeline pathway. These affect agriculture and health in a big way. They are not benign chemicals.</p>
IND417-4	<p>4. Analyze the cumulative impact of all infrastructure projects in the region and provide a map to the public that includes all of these projects seeking approval.</p>
IND417-5	<p>5. Consider that a pipeline built primarily to export natural gas to overseas markets does not benefit the communities that would be impacted by the project. In fact, because gas prices in Asia are 4x higher than in the US, this will drive the price of gas up in the domestic market so what are we gaining from hydrofracking?</p>
IND417-6	<p>6. Reject the power of eminent domain since this pipeline is clearly unnecessary and an outrageous violation of civil rights.</p>
IND417-7	<p>7. Fully evaluate alternatives to the use of proposed trenching methods for each and every proposed water body and wetland crossing.</p>
IND417-8	<p>8. Obtain necessary information that FERC identified as missing from the DEIS from the Constitution Pipeline before FERC makes a decision about significant environmental impacts.</p>
IND417-9	<p>9. Place a moratorium on infrastructure projects that could encourage fracking and would lead to the destruction of our agricultural and recreation land.</p>
IND417-10	<p>10. Reject a proposed alternative pipeline route that would cut through the New York City drinking water supply watershed as not viable and beneath consideration. This is insanity!!</p>
IND417-11	<p>11. Assess the cost to townships for road and bridge repair and the loss of tourist revenue, as well as the cost to property owners for increased insurance premiums and decreased use of their land for farming and timber.</p>
IND417-12	<p>12. Study both the short and long term affects of perpetually warming 124.4 mile long corridor that might create a microclimate and increase potentially harmful and invasive insects such as disease carrying ticks, providing a path for their</p>

IND417-1	See response to comment FA1-1. The draft EIS provided instructions on how to file comments with the FERC. The draft EIS also provided the contact information of FERC staff available to assist the public in submitting comments.
IND417-2	See the response to comments FA4-45 and LA1-4.
IND417-3	See the response to comment IND341-12 regarding defoliant.
IND417-4	Section 4.13 of the EIS provides a discussion of projects in the project area which could result in cumulative impacts.
IND417-5	See the response to comment LA7-5 regarding export of natural gas.
IND417-6	See the response to comment FA8-3 regarding eminent domain.
IND417-7	Proposed crossing methods for waterbodies and wetlands are discussed in sections 2.3, 4.3, and 4.4 of the EIS. Alternative crossing methods, including trenchless methods, are included in this discussion.
IND417-8	See response to comment FA1-1.
IND417-9	The commentor's request for a moratorium is noted. See the response to comment LA1-4.
IND417-10	The commentor's statement regarding opposition to alternative K is noted.
IND417-11	See the response to comment LA1-1 regarding road repairs. See the response to comment LA5-3 regarding property values and insurance. Section 4.9.2 of the EIS discusses tourism.
IND417-12	See the response to comment IND163-1 regarding ground temperature changes.

INDIVIDUALS

IND417 – N (cont'd)

20140407-5064 FERC PDF (Unofficial) 4/6/2014 8:09:14 PM	
IND417-12 cont'd	migration, and warming the cold water tributaries that support our trout habitat on which the fishing industry relies.

INDIVIDUALS

IND418 – Paul A. Thayer

20140407-5066 FERC PDF (Unofficial) 4/6/2014 8:28:48 PM

IND418-1

Paul A Thayer, Oneonta, NY.  
I would like to make FERC aware of my extreme opposition to the Constitution Pipeline. I am an affected landowner and this project is going to have a profound negative impact on my quality of life.

IND418-2

The value of my property will be decreased and my family & friends are being put in harms way. It is your responsibility to represent the interests of everyone, not just those of greedy energy companies.

IND418-1      The commentor’s statements in opposition to the proposed projects are noted.

IND418-2      See the response to comment LA5-3 regarding property values.  
See the response to comment IND13-3 regarding safety.

**INDIVIDUALS**  
**IND419 – Ann Moschovakis**

20140407-5067 FERC PDF (Unofficial) 4/6/2014 8:45:46 PM

IND419-1 | anna moschovakis, south kortright, NY.  
As a full-time resident of Delaware County, I strongly do NOT support the  
building of the constitution pipeline and I want my comment to go on record.

IND419-1      The commentor’s statements in opposition to the proposed  
projects are noted.

# INDIVIDUALS

## IND420 – Margery Schab

20140407-5069 FERC PDF (Unofficial) 4/6/2014 9:02:46 PM

Margery Schab, New York, NY.  
Kimberly D. Bose, Secretary US Army Corps of Engineers

The FERC New York District, CENAN-OP-R

888 First Street NE, Room 1A Upstate Regulatory Field Office

Washington, D.C. 20426 1 Buffington Street, Bldg. 10, 3rd Floor

Watervliet, New York 12189-4000

Re: Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBRI urge FERC to deny

IND420-1 I urge FERC to deny William's application to build the Constitution Pipeline. The construction of any infrastructure to bring the gas to market is the wrong way to go. The construction of the Constitution pipeline demonstrates a complete denial of the economic collateral damage. Environmental economics include, not ignores, these additional costs. These added costs encompass third parties, (communities, people) who are negatively impacted by agreements between two other parties (Exploration/Production companies and fossil fuel distributors). Our government's mission is to keep the collateral costs of as low as possible because it is ultimately the taxpayer who has to bear these costs. If FERC approves this pipeline, FERC will be supporting corporate immediate needs over the medium and long term health and economic well being of all our citizens since these huge extra costs fall upon every taxpayer.

Allowing companies to invest in fossil fuel extraction by providing them with the venue, via pipelines, compressor stations, and metering stations to send this fuel to market is a totally incorrect decision when the mission of the Government is to encourage long range projects and protect its citizens' well being. Conversely, approving the construction of the Constitution pipeline will result in mid term as well as long term negative public health issues, negative local economic growth and the shredding of community cohesion.

IND420-2 Only last week the United Nations released a report on the seriousness of Climate Change that must be addressed now if the world is not to suffer natural catastrophes which will result in loss of life, property and cost billions of dollars to remediate - if the damage can be remediated at all.

Building the Constitution pipeline will have national implications because it is another fossil fuel infrastructure, 121 miles in length from Susquehanna County Pennsylvania to Schoharie County, New York. It will be a hub for future pipelines throughout New England, perhaps leading to LNG export facilities. For the sake of the future health of our nation, our government should not be investing or supporting infrastructure projects that are in essence public health hazards. It is another example of clinging to an old economy that can no longer provide for the long term health and welfare of the communities it serves.

The drastic changes that are needed must begin now focusing on the development renewable energy sources such as wind, solar and hydro and encouraging conservation. New Yorkers and New Englanders cannot afford to build another infrastructure that will bring methane to markets for the benefit of the gas companies' bottom line. They are in the business of selling Natural Gas. We

IND420-1 The commentor's request to deny the proposed projects is noted. See the response to comment IND10-5 regarding benefits of the proposed projects. See the response to comment LA7-5 regarding the Applicants' purported public need. See the response to comment CO57-4 regarding health.

IND420-2 See the response to section SA6-1 regarding climate change. See the response to comment LA7-5 regarding export. See the comment to CO26-10 regarding induced development. Section 3.1.2.3 of the EIS provides a discussion of renewable energy. The commentor's request to deny the proposed projects is noted.

S-1678

# INDIVIDUALS

## IND420 – Margery Schab (cont'd)

20140407-5069 FERC PDF (Unofficial) 4/6/2014 9:02:46 PM

IND420-2  
cont'd

ask our government to protect us from the catastrophic effects that will negatively impact our homes, our food supply, caused by the industry's continuing insistence on developing carbon based fuels.

What kind of country are we if we regard those who provide our food as expendable? What kind of country are we if we find families expendable, even if they are not farmers but live in or near the 122 miles of proposed construction of Constitution Pipeline as they uproot trees, disturb soil and kill vegetation? The mission and priority of local, state and federal government is to protect the people. It is unacceptable for the gas companies to sacrifice the well being of rural Americans to service urban populations. Fossil fuel has now become a cancer that is affecting the entire fabric of our national society. This is why I, as a New York City Resident, request that you deny Williams the approval to build this Constitution Pipeline. We have reached the end of our fossil fuel rope.

Respectfully submitted,

Margery Schab

# INDIVIDUALS

## IND421 – Dennis Tomkins

S-1680

20140407-5070 FERC PDF (Unofficial) 4/6/2014 9:03:38 PM	
dennis tomkins, walton, NY. FERC Comments on the Constitution Pipeline	
IND421-1	First I think the comment period concerning the pipeline should be extended to allow time for the n.y.c. d.e.c. e.p.a. and other concerned parties to fully evaluate the additional data being received.
IND421-2	The constitution pipeline is both unnecessary, and short sighted. In a time when it is imperative that we wean ourselves from fossil fuels and invest in clean renewable energy we do not need to be investing in a fuel system that will be obsolete within a decade.
IND421-3	To provide access for these pipelines the use of eminent domain is close to criminal. This project is not in the interest of the communities it is going through, nor the state, or the country. These pipelines are to transport gas to liquification plants, then shipped to the highest bidder. This will in turn increase the cost of gas in this country.
IND421-4	There is a glut of natural gas already in this country, enough to make us energy independent until we can bring clean renewables on line.
IND421-5	This project will create some temporary jobs, and encourage gas drilling along the corridors it is built on. This will be a boom and bust situation that in the long run will erase any economic gains made during the boom cycle. The industrialization of the area will result in loss of valuable agricultural land, clean air and water. There will be loss of property values and the second home and tourist economy. There will also be loss of the natural beauty of the area, loss of wild life, and recreation.
IND421-6	Polluting the ground with weed controlling chemicals along these corridors will result in poisoning waterways, and possible subsequent drilling will destroy land, surface water, and underground aquifers due to migrating of chemical laced drilling water. The air will be polluted as a result of burned off chemicals in the process, along with enormous amounts of diesel fuel burned by trucks, and compressor stations.
IND421-7	There already is untold amounts of methane leaking into the atmosphere from abandoned vertical wells drilled over the last 100 years. The industry should be securing these wells not building out more infrastructure for new ones. The industry would like us to believe that we can use this fuel for the next 100 years. If allowed to continue this industry will do everything in its power to discourage clean renewables. This will result in higher levels of methane released into the atmosphere creating more greenhouse gases. This is not the type of infrastructure we need to be investing in. We should be investing in infrastructure that allows the development of renewable energy, new roads, and bridges. Infrastructure to support clean water, and land for healthy food that will secure a viable future for our children, and life on the planet. Please stop the insanity. Stop the constitution pipeline and do not even consider running pipelines through the NYC Watershed or any other watershed or community.

IND421-1	See response to comment FA1-1.
IND421-2	Section 3.1.2.3 of the EIS provides a discussion of renewable energy.
IND421-3	See the response to comment FA8-3 regarding eminent domain. See the response to comment IND205-3 regarding the price of gas.
IND421-4	The commentor's statement regarding the United States' reserves of natural gas is noted.
IND421-5	See the response to comment IND205-1 regarding jobs. See the response to comment CO41-23 regarding industrialization of the project area. Section 4.9.2 of the EIS provides discusses tourism.
IND421-6	See the response to comments CO41-21 and IND13-4 regarding air quality. See the response to comment IND341-12 regarding herbicides. See the response to comment FA4-45.
IND421-7	See the response to comment SA6-1 regarding methane leakage. Section 3.1.2.3 of the EIS provides a discussion of renewable energy. The commentor's statement regarding opposition to alternative K is noted.

# INDIVIDUALS

## IND422 – Jennifer Mosher

S-1681

20140407-5072 FERC PDF (Unofficial) 4/6/2014 9:35:21 PM	
Jennifer Mosher, Schoharie, NY. Comments on the Constitution Proposal and draft Environmental Impact Study - FERC EIS 0249D - Docket Number CP13-499-000 and CP13-502-000.	
IND422-1	<p>I am writing to express my concerns about the proposed Constitution Pipeline through New York's Southern Tier and into Otsego and Schoharie Counties. The project's docket identification number is CP13-499-000 and CP13-502-000.</p> <p>The proposal to FERC by the Constitution Pipeline Company is to construct a new pipeline through approximately 120 miles of virgin (no existing infrastructure or right of way) land from gas fields in northern Pennsylvania to the Tennessee and Iroquois pipelines at the northern edge of Schoharie County.</p> <p>Page 1-1 Section 1.0. Introduction. The very first line states that Constitution Pipeline Company LLC filed the application. The EIS should clarify that Constitution Pipeline Company LLC was only formed in 2012, does not have any history in constructing pipeline, or providing for environmental safety, nor has reportable assets to provide guarantee that the pipeline will be maintained properly for its lifetime or to provide compensation for any injury to the public should an accident occur (e.g. such as happened at North Blenheim, Schoharie County in 1990). Prior to proceeding with any aspect of the proposal Constitution should be required to provide an escrow account sufficient to provide for maintenance (including major reconstruction), personal damages in the event of an accident, and abandonment of the pipeline at the end of its lifetime, in the event that Constitution Pipeline Company ceases to exist (see discussion on page 4-197). Furthermore, since Constitution was formed by Cabot Pipeline Holding and Williams Partners Operating companies, the environmental records, and expertise in pipeline construction of these two companies should be provided.</p>
IND422-2	<p>Page 1-1, Section 1.1. Project Purpose and Need. The purpose and need is an important part of the evaluation of the EIS, in that any negative impacts need to be weighed against the benefits (i.e. satisfying the purpose and need). The entire purpose and need section is vague and ambiguous. The opening sentence states that the project was developed "in response to market demands in New York and New England area, and due to interest from shippers that require transportation capacity from Susquehanna County Pennsylvania..." At the public meeting in Schoharie, New York on September 25, 2012, it was stated that Constitution already has potential buyers for the entire capacity of the pipeline in the New York City and Boston metropolitan areas.</p> <p>The EIS should clarify where the market demand actually arises from and the scale of that demand. It is assumed that the demand that is spoken of is in the New York City and the Boston areas. This is important in the context of alternative routes discussed later in the EIS and these comments. No quantitative measures of this demand is provided. How can FERC determine whether the size of the pipe and the scale of the throughput is appropriate in the context of supplying this supposed "demand" if the applicant cannot even provide quantitative data on where and how large the demand is. The EIS must provide quantitative data on where the demand in the New York and New England areas actually is, and how large that demand is; in order for an overall assessment of the need for the entire project is Constitution should provide the entities that they would be selling gas to, and the quantities in order to establish that existence and scale of the stated need.</p>

IND422-1	As stated in section 1.0 of the EIS, Constitution Pipeline Company, LLC is jointly owned by Williams Partners Operating, LLC; Cabot Pipeline Holdings, LLC; Piedmont Constitution Pipeline Company, LLC; and Capital Energy Ventures Corporation. These corporations would manage construction and operation of the pipeline. See the response to comment CO47-1 regarding Cabot and Williams' safety records.
IND422-2	Section 1.1 of the EIS has been revised to provide current information regarding the purpose and need of the projects. See the responses to comment FA4-46 and SA2-4 regarding Leatherstocking. As stated in section 1.1 of the EIS, the two shippers are Cabot Oil and Gas Corporation and Southwestern Energy Services Company.



# INDIVIDUALS

## IND422 – Jennifer Mosher (cont'd)

20140407-5072 FERC PDF (Unofficial) 4/6/2014 9:35:21 PM

IND422-2  
cont'd

The discussion regarding the second bullet, identifying providing gas to Leatherstocking gas, is new to this process as no mention is made of this in the Application or the Resources Report ( both from June 2013), implying that when Constitution first proposed this project they had no clear understanding of the actually end use demand. If Constitution had a clear understanding of the actual demand, and had designed the proposed pipeline to address it, then there should be no excess to magically be available to the Leatherstocking Gas system.

The implication that Constitution Corporation proposed this project to address a longstanding need from shippers ("and due to interest from shippers that require transportation capacity from Susquehanna County Pennsylvania...") is clearly misleading. The shippers involved are actually the two companies that have produced Constitution out of thin air (i.e. Williams and Cabot). The need being addressed was manufactured by the corporate lawyers of Constitution itself. The desire of an ad hoc corporation to manufacture profits for itself does not constitute a long standing need to be addressed by a project of this scale. Note again, that the EIS identifies that these two companies will provide/ship a stated volume of gas, but no information is provided at all as to who will be receiving the gas in the "New York and New England area."

IND422-3

Page 3-1, Section 3.0, Alternatives.  
The entire section on alternatives to the proposed pipeline misses an key point. The purpose of the proposal made clear that the market for the gas was for the New York and New England areas. There are obviously numerous possible alternative routes to these markets which are south east of the gas fields, yet the entire alternatives assessment uses the Wright Compressor Station as the pipeline terminus which is 120 miles in almost the opposite direction.

It seems unlikely that communities along the pipeline would have access to much- if any- of the gas. Also, most of the area along the pipeline is sparsely populated, so it seems like it would not be cost-effective for the gas companies to divert any of their product from this pipeline. Given those facts, it appears to me that there is little, if any, need for a pipeline to go through this part of New York State; the market for natural gas is very small here, and it is not even close to being the most direct route to the New York/Boston metro areas from the gas fields of Pennsylvania.

In 2009, the New York State Energy Planning Board , along with the Energy Coordinating Working Group, released the New York State Energy Plan, including the Natural Gas Assessment. Among other analyses, this document assessed the current and future needs for natural gas in the state. A major conclusion of the report was that all of the increased demand in the foreseeable future will be in the downstate (New York City and Long Island) area, and that natural gas demand would decrease in upstate New York State. Therefore, the only reasonable market for the pipeline is for the downstate New York City area. In order to minimize environmental impacts, the shortest route from the Pennsylvania gas fields to the downstate area should be selected. In this case the route through Delaware, Otsego, and Schoharie Counties to the Tennessee and Iroquois pipelines, and then back down to New York City hardly seems to be the shortest route with the least amount of impact. Rather the pipeline, if it is needed at all, should be routed to connect with closer pipelines/rights of way. In particular, it would make more sense to connect the northern Pennsylvania gas fields to the following existing pipelines (or running the proposed pipeline along the same rights of way):

IND422-3      See the response to comments CO43-17 and CO42-17 regarding alternatives.

# INDIVIDUALS

## IND422 – Jennifer Mosher (cont'd)

S-1683

20140407-5072 FERC PDF (Unofficial) 4/6/2014 9:35:21 PM

IND422-3  
cont'd

- Millennium pipeline, which runs across the southern border of New York State (approximately 30 miles to connection)
- Laser pipeline, which parallels the proposed pipeline route (approx. 10 miles to connection)
- Tennessee pipeline, which runs parallel with the northern Pennsylvania border south of the origin of the proposed pipeline (approx. 10 miles to connection)
- Springville pipeline, which runs south from the Tennessee pipeline to the Transco pipeline (approx. 10 miles to connection)
- Transco pipeline, which runs southeast to the New York City area (30 miles to connection)
- Dominion pipeline, which runs from Chemung County northeast to the Mohawk Valley and then east (approx. 50 miles to nearest connection)

At the very least, the application should assess the feasibility of each of the potential connections

IND422-4

Page 4-191, Section 4.12.1 Safety Standards.  
The text indicates that the pipeline will operate at 850 to 1250 psig. On Page 2-1, it states that The maximum allowable operating pressure (MAOP) for the new pipeline would be 1,480 psig. The MAOP is only 18% higher than the high end of the operating pressure range indicated. Good engineering practice would dictate a 50% safety margin, suggesting either a maximum operating pressure of 976 psig, or using pipe rated to 1,875 psig.

IND422-5

I believe that the proposed Constitution Pipeline project is not in line with America's long-term energy needs or goals, either production or conservation. It does not fulfill the need for renewable energy; it discourages energy conservation; it would capitalize on environmentally destructive practices; and it could jeopardize our water, agricultural land, and economic bases of farming and tourism. I also believe it is not necessary, as there are other, previously-developed pipelines whose routes could be used. I hope FERC will not allow the proposed Constitution Pipeline project to take place. Thank you for your consideration of my comments.

Sincerely,

Jennifer Mosher  
362 Colby Road  
Schoharie, New York 12157

- IND422-4

See the response to comment IND166-1. The pressure values the commentor is referring to would be the pressure that gas would be received at the M&R stations at either end of the pipeline. The pipeline in between these two stations would operate around 1,440 psig.
- IND422-5

The commentor's statements in opposition are noted. Section 3.1.2.3 of the EIS provides a discussion of renewable energy.

**INDIVIDUALS**  
**IND423 – Barbara Kerr**

S-1684

20140407-5074 FERC PDF (Unofficial) 4/7/2014 12:39:48 AM

Barbara Kerr, Charlotteville, NY.  
7524 Moccasin Path  
Liverpool, NY 13090  
April 5, 2014

Ms. Kimberly Bose, Secretary  
Regulatory Commission

Federal Energy  
888 First Street NE  
Washington DC 20426

Re: Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR

IND423-1

I, Barbara Kerr am writing as a concerned party to the proposed Constitution Pipeline project. As the primary landowner of 166 Poplar Way in Charlotteville, NY, my property will be directly affected by the proposed Constitution Pipeline path. My concerns are personal, environmental and political in nature in reference to the project.  
  
In 1973 my late husband and I bought with our neighbors purchased 15 acres of mixed forest land located on Poplar Way, Charlotteville, NY. Both our neighbors and our family enjoyed the outdoors and hunting. We subdivided the land into about 7.5 acres and proceed to erect our homes on the land. My husband built it himself with help of his friends and family. Even our children pitched in with hammer and nails. We all enjoyed many years of hiking and hunting on and around our property. Though seventeen years have gone by since my husband's fatal car accident, we honor his memory and legacy through house that he built.  
  
My four adult children and I still use this home as a retreat. When I heard of the LNG pipeline was going through Schoharie County along I-88 I was concerned. When the route was changed to go through the NYS Charlotteville State Forest, I was upset because I felt it would comprise the water table above my source of spring water and spoiling the pristine forest. Then the proposed pipeline was moved onto my property by cutting a swath of .88 acres and leaves another .8 acres between the pipeline and the state forest, I felt violated by devaluing my property by a quarter and increasing the risk of pollution and disaster.

IND423-2

Finally, since the start of the year, I received notice from the Corp of Army Engineers that the wetlands which are on my lower property line will be filled for the pipeline. In the 1980s, the NYS DEC deemed my lower property border was wetlands and we could not make any changes whatsoever. These wetland restrictions prevented my family from being able to electrify the property for some time. The permission to fill part of the wetlands bordering Poplar Way and Stannard Road which might alter the flow of and pollute the wetlands on my property.

IND423-3

The one thing Constitution Pipeline will not do is take is the responsibility of any accident or effect of the pipeline on my property. I would have to continue paying taxes and insurance on my property which will be devalued and still be liable in the event of an accident, even if it concerns the crew installing the pipeline. Williams Partners' considerations and reputation for safety and environmental issues are dubious at best. I see the affects already as I pass through the Pennsylvania's Susquehanna County and travel over the Susquehanna's riverbed area. Williams Partners have had a recent diasterous LGN plant explosion, numerous compressor station fires, released of toxic substances into the environment, and incidents causing injuries and evacuations. And now they want to extend their trail of destruction into New York State?

IND423-1

The commentor's statements regarding the proposed pipeline route are noted. See the response to comment IND288-1. See the response to comment LA5-3 regarding property values.

IND423-2

Constitution has not proposed to fill wetlands on the commentor's parcel (see appendix L).

IND423-3

See the response to LA5-3 regarding property values and insurance. See the response to comment LA1-1 regarding property taxes. See the response to comment CO45-1 regarding liability. See the response to comment CO47-1 regarding Williams' safety record.

Individual Comments

# INDIVIDUALS

## IND423 – Barbara Kerr (cont'd)

20140407-5074 FERC PDF (Unofficial) 4/7/2014 12:39:48 AM	
IND423-4	In the local paper, I have read about the grants Constitution pipeline have been giving to the Charlottesville and Summit town governments and municipal services. It has made me realize how the company was using money to influence political decisions. Constitution Pipeline felt the easiest way to get their easements to build the pipeline were to target seasonal land owners and rural area residents. The route change through the state forest route was questionable at best, most likely because their company did not want to litigate for access with New York State. The NYS DEC is requesting an extension for further research into this matter, and into tracking practices in general. They should be our state's safeguard of environmental conservation and their request for time to complete their study must be extended.
IND423-5	How much money has this company used to gain political influence to get what they want? How much will this company's pipeline dreams destroy the area's bucolic setting, clean air, water table and the Susquehanna watershed? How much of my land and water rights will be exploited by the pipeline? How much will my land be devalued? How expensive will my homeowners insurance be and will they insure my property? How will the future be change, if this company is allowed to practice hydraulic fracturing for shale gas in New York State?
IND423-6	Our legacy(my husband's and mine)is being destroyed as this pipeline crosses our property. My children and grandchildren will not be able to share this bucolic and environmental safe setting. I, for one am deeply saddened by these events and hope that the proper authorities will practice restraint and will not allow this project to proceed.  Barbara Kerr Landowner of 166 Poplar Way, Charlottesville, NY

IND423-4	The commentor's statements regarding Constitution's Community Grants is noted. See the response to comment FA1-1 regarding an extension of the comment period.
IND423-5	See the response to comment CO1-2. See the response to comment LA5-3 regarding property values, insurance, and mortgages. See the response to comment FA4-45 regarding hydraulic fracturing.
IND423-6	The commentor's request to deny the proposed projects is noted. See the response to comment IND13-3 regarding safety.

# INDIVIDUALS

## IND424 – Marilyn Sango-Jordan

20140407-5075 FERC PDF (Unofficial) 4/7/2014 1:25:14 AM	
IND424-1	<p>Marilyn Sango-Jordan, Clifton Park, NY.</p> <p>Affected landowners and nearby residents are concerned that the Constitution Pipeline Alternate R through the Beards Hollow area of Richmondville, NY (map ALT-R-NY-SC-004.000) does not adequately consider the flooding propensity of the creek locally known as Stony Creek. We do not feel that FERC's DEIS gives adequate consideration to our earlier comments.</p> <p>During Hurricanes Irene and Lee in August 2011, this creek washed out dead-end Radliff Road and the driveways of the last two residents on the dead-end. For a period of weeks they had no means of vehicular egress from their homes and therefore no reliable access to emergency services. One home's basement was flooded, destroying the mechanical systems and requiring the owners to live in an RV while they rebuilt. The creek also washed out Beards Hollow Road, the main thoroughfare in the area. On Beards Hollow, a tiny creekside home was virtually destroyed; months later the resident was still living with friends.</p>
IND424-2	<p>According to pages K2-17 and K2-18 in Appendix K-2 to the FERC DEIS, the proposed route crosses this "unnamed tributary to the Cobleskill Creek" no less than twelve times between milepost 105.81 and milepost 106.66 - a distance of less than one mile. On what basis does such massive disruption of a sensitive ecosystem pose an insignificant environmental impact? In addition to exacerbating the existing flood risk, construction and potentially associated</p>
IND424-3	<p>soil erosion and sedimentation may disrupt agricultural activities on the surrounding properties, several of them located in Schoharie County's agricultural district 3.</p> <p>Thank you for your time.</p> <p>Marilyn</p>

- IND424-1 See the response to comments CO1-5 and IND113-1 regarding flooding.
- IND424-2 Between MP 105.81 and 106.66 the proposed pipeline would cross 9 different unnamed waterbodies identified as "UNT to the Cobleskill Creek." The waterbody would be within the proposed workspace but not crossed by the pipe for three locations within this milepost range. Sensitive resources, as well as potential impacts and mitigation, are discussed in the EIS for waterbodies (section 4.3.3) and farmland/agriculture (sections 2.3.2, 4.2, 4.8.4, and appendix J).
- IND424-3 See the response to comments CO1-4 and IND169-1 regarding erosion.

**INDIVIDUALS**  
**IND425 – Jessica Farrell**

S-1687

20140407-5073 FERC PDF (Unofficial) 4/6/2014 10:48:37 PM

Jessica Farrell, Sidney Center, NY.  
Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR

April 6, 2014

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3rd Floor  
Watervliet, New York 12189-4000

Dear FERC,

IND425-1

I am writing to clarify one point in my letter dated April 1, 2014. The hazardous chemicals I mentioned at the Richardson Hill Superfund Site outside of Sidney Center were from waste left by the Amphenol Corporation of Sidney, NY. Coincidentally, Amphenol Corporation is slated to benefit from the Constitution Pipeline plan. It is my understanding that the company has threatened that without cheap natural gas they may have to move out of the area. Not only would this mean lost jobs, but our community would be left with a giant environmental nightmare from the toxins this industry would leave behind.

This sounds very familiar to the argument that drives much of the natural gas debate - jobs or the environment. Industry is looking out for its short term return, but mistakes made with the environment create problems that exist for years to come. When bus loads of union workers are shipped into a FERC meeting from Albany and Pennsylvania to drown out the voices of local towns people concerned for their homes and communities - then we have a problem. When an employee at Amphenol Corporation worries that their job may be outsourced any day, either WITH or without a pipeline - then we have a problem. When an industry creates employment for a community, but leaves a toxic dump at the edge of town - then we have a problem. The rhetoric of future prosperity for the area with this pipeline is a very naive mindset. Until we realistically look at the long term impact that industry has on a community we will always have problems, potentially very BIG, harmful and expensive problems.

I truly wish the powers that be had had better insight when they made bad decisions that still effect my community. Please carefully consider the impact of your decision and vote to oppose construction of this pipeline.

Thank you,

Jessica Farrell  
P.O. Box 255  
Sidney Center, NY 13839

(My April 1, 2014 letter...)

IND425-1

Responses to the commentor's previous letter can be found at IND347. The commentor's statements regarding Amphenol are noted. See the response to comment CO50-108 regarding the comment meetings. See the response to comment CO1-1. The commentor's opposition of the proposed projects is noted.

# INDIVIDUALS

## IND425 – Jessica Farrell (cont'd)

S-1688

20140407-5073 FERC PDF (Unofficial) 4/6/2014 10:48:37 PM	
This comment was previously submitted on 4-4-14	
IND425-1 cont'd	<p>Dear FERC,</p> <p>I have lived in Sidney Center, NY since 1989. Through my experience living in this lovely corner of Delaware County, I have become somewhat of an "unintended" environmentalist. For this reason, I am opposed to the construction of the Constitution Pipeline several miles from my home. I do not own a big tract of land, I am not an organic farmer, however I do enjoy the rare and pristine beauty of the surrounding area. I live on a half acre lot in a semi depressed town full of genuine, hard working people.</p> <p>My community has seen it's fair share of hard times. Big business has not been our friend. We now have a Super Fund Site on Richardson Hill (a few miles from the hamlet), wells for drinking water on tiny town lots, and seeping septic systems and leach-fields. This environmental catastrophe happened years before I moved here, however our community has had no resolution to date. One thing is certain, the cost of fixing the problem will fall squarely on the backs of our hard working community while industry counts its profit and receives tax breaks. This real world experience about accountability and industry frames my thoughts in regards to the present proposed Constitution Pipeline project.</p> <p>If you look at the history of my community and the surrounding area, one hundred year floods ravage the landscape about every five years, some of these floods kill people. (The route for the proposed pipeline is very near where several people died in the 2006 flood.) Not only is the amount of water a problem, but the speed in which the water rushes into flat, inhabited valleys an issue. I wonder how newly stripped hillsides for the Constitution pipeline will effect the people that are already fearful every time there's a heavy rain during spring melt down. Further, how will the pesticides applied to the land near the pipeline effect the water that people and animals consume on a dally basis? I think it's impossible to predict where rushing, chemical-laden water will end up when major flood events become the norm.</p> <p>In addition to these concerns, I am most troubled by the convenient plan of installing infrastructure that supports hydraulic fracturing through the proposed pipeline project. I would be the first to admit that upstate NY has its fair share of problems, but bringing dirty, heavy industry into the area is most certainly not the answer. Hydraulic fracturing and the proposed Constitution Pipeline will bring a whole host of expensive and harmful issues to an area that is already burdened with industrial clean up sites and a multitude of other pressing issues. The natural gas industry will not bring this area lasting prosperity. Who wants to visit or live in an industrial zone? Honestly, only the people who do no have the means to leave the area will stay if fracking is passed. What will happen to communities, schools, small businesses, family farms, volunteer fire departments - when people leave? My community is a small example of what happens when things go awry. Unfortunately, things can and do go awry. It's disheartening to see an expensive project come down the pipeline where, once again, industry profits at the expense of communities, individuals and the environment. Meanwhile, I will continue to purchase and drink bottled water at my home. I sure hope my hamlet's fate does not become a reality for many more communities in upstate NY or downstate NY, for that matter. Our people deserve a better alternative than natural gas exploration and exploitation.</p> <p>I sincerely hope FERC will consider my concerns and the concerns of many of my neighbors and vote to oppose construction of this pipeline. Thank you for your time.</p> <p>Sincerely,</p>

INDIVIDUALS

IND425 – Jessica Farrell (cont'd)

20140407-5073 FERC PDF (Unofficial) 4/6/2014 10:48:37 PM	
<div>This comment was previously submitted on 4-4-14</div>	
IND425-1 cont'd	Jessica Farrell



INDIVIDUALS  
IND426 – Lynn Fischer

20140407-5093 FERC PDF (Unofficial) 4/6/2014 11:31:46 PM

FERC Comment.pdf  
To All FERC officials:

IND426-1

I am a resident of 237 Jersey Rd. Meredith NY, a location within several miles of the proposed Constitution Pipeline route. My husband and I own seven acres of beautiful land overlooking the foothills of the Catskill Mountains. Our eighteen year old daughter has grown up on this land and we hope to pass it on to her so that she will be able to live and work in Meredith knowing her future is secure and safe.

For the last few years I have been reading and attending meetings in order to gather information about the proposed Constitutional Pipeline Project. My first concern is the endangerment of my family and our neighbors. Below are cited reports of documented gas pipeline explosions in 2013 alone.

- 2013 On January 15, a utility crew struck & ruptured a 4 inch gas pipeline in [Lewisville, Texas](#), causing a nearby home to explode later on. The explosion killed a man.<sup>[166]</sup>
- 2013 An independent contractor installing fiber-optic cable for a cable company in [Kansas City, Missouri](#) inadvertently struck an underground gas line on February 19. Gas later caught fire, and created an explosion that destroyed a popular local restaurant, killing one of the workers there, and injuring about 15 others near the scene.<sup>[167][168]</sup>
- 2013 A tug towing a barge struck and ruptured a [Chevron](#) LPG pipeline near [Bayou Perot, Louisiana](#) on March 12. The tug Captain was severely burned when the escaping gas ignited, and died several weeks later from those injuries.<sup>[169][170]</sup>
- 2013 On March 18, a [Chevron](#) 8 inch petroleum products pipeline ruptured along a seam, spilling diesel fuel into [Willard Bay](#) State Park near [Ogden, Utah](#). Wildlife was coated with diesel, but, the fuel was prevented from entering into water supply intakes. About 25,000 gallons of diesel were spilled.<sup>[171][172]</sup>
- 2013 A [Williams Companies](#) 24 inch gas gathering pipeline failed in [Marshall County, West Virginia](#) on March 22. There were no injuries.<sup>[173]</sup>
- 2013 [Mayflower oil spill](#) occurred when [ExxonMobil's](#) 20 inch Pegasus crude oil pipeline spilled near [Mayflower, Arkansas](#) on March 29, causing crude to flow through yards and gutters, and towards [Lake Conway](#). Wildlife was coated in some places. Twenty-two homes were evacuated, due to the fumes and fire hazard. Some estimates say the total amount spilled could reach upwards of 300,000 gallons [diluted bitumen](#) were spilled. Hook cracks and extremely low impact toughness in the L.F.-[FRW](#) seam were identified as causes of the failure.<sup>[174][175][176][177]</sup>
- 2013 On April 4, an explosion and fire occurred at a gas compressor station near [Guthrie, Oklahoma](#). Nearby homes were evacuated. There were no injuries reported.<sup>[178]</sup>
- 2013 A flash fire at a pipeline gas compressor station broke out when natural gas liquids ignited in [Tyler County, West Virginia](#) on April 11, seriously burning 3 workers, two of whom later died. The workers were performing pipeline pigging operations.<sup>[179][180]</sup>
- 2013 On April 30, the Pegasus oil pipeline spilled a small amount of crude into a residential yard in Ripley County, Missouri, a month after the same pipe spewed thousands of barrels of crude in Arkansas. The Pegasus pipeline was out of service from the [Mayflower, Arkansas](#) spill, accounting for the minimal amount of oil spilled in Missouri.<sup>[181]</sup>
- 2013 On May 9, diesel fuel was detected to be leaking from a Marathon pipeline in [Indianapolis, Indiana](#). Over 20,000 gallons of diesel leaked, at a slow rate that was not detected by SCADA systems. Cleanup cause a nearby major road to be shut down for 5 days. There were no injuries reported.<sup>[182]</sup>

IND426-1

Section 4.12 provides a discussion of safety. We note that many of the commentor's examples are for incidents involving crude oil, diesel, or other petroleum liquids, which are not particularly relevant to the proposed project. See the response to comment IND13-3 regarding safety.

S-1690

INDIVIDUALS  
IND426 – Lynn Fischer (cont'd)

20140407-5093 FERC PDF (Unofficial) 4/6/2014 11:31:46 PM

IND426-1  
cont'd

- 2013 Late night on May 14, an explosion & fire hit a [Williams Companies](#) gas compressor station near [Brooklyn Township, Pennsylvania](#). There were no reported injuries.<sup>[342]</sup>
- 2013 On May 30, 2 construction workers were injured, when a fire erupted during welding at a [Williams Companies](#) natural gas facility in [Hunterdon County, New Jersey](#).<sup>[344]</sup>
- 2013 A 12 inch gas transmission pipeline failed near [Torrington, Wyoming](#) on June 13. LF-ERW seam failure was suspected as cause. There was no fire or injuries.<sup>[345]</sup>
- 2013 A 30 inch Florida Gas Transmission Company natural gas pipeline exploded and burned on June 18 near [Franklinton, Louisiana](#). Power lines were damaged, causing a loss of electricity to 17,000 people, and a trailer was destroyed. There was no injuries reported.<sup>[346]</sup>
- 2013 On July 4, a fire involved a gas compressor and a nearby ruptured 2 inch gas pipeline in [Gilmore Township, Pennsylvania](#). There were no injuries.<sup>[348]</sup>
- 2013 An 8 inch natural gas pipeline released gas from a rupture at 1,400 psi, for 90 minutes in [New Franklin, Ohio](#) on July 22, forcing 75 people to evacuate the area. Afterward, the local Fire Chief said that pipeline owners refused to give information to first responders in previous requests.<sup>[349]</sup>
- 2013 Early on July 23, a downed 13,000 volt power line sparked a massive gas fire in [Mamaroneck, New York](#) when a gas main was damaged by the electricity. 3 automobiles were destroyed, and homes were threatened for a time.<sup>[350]</sup>
- 2013 On July 26, a leaking [BP](#) 20 inch crude oil pipeline spilled 50 to 100 barrels of crude oil in [Washington County, Oklahoma](#). Some of the crude spilled into a drainage ditch leading to a water reservoir.<sup>[351]</sup>
- 2013 On the evening of August 12, a 10 inch NGL pipeline exploded & caused a massive propane-ethane mix fire in [Frie, Illinois](#). A number of nearby residents were evacuated for a while, but, there were no injuries.<sup>[352]</sup>
- 2013 A leak developed on a valve on [Longhorn Pipeline](#) in [Austin, Texas](#) during maintenance on August 14, spilling about 300 gallons of crude oil. There were no evacuations.<sup>[353]</sup>
- 2013 Atmos Energy crews dug into a 4 inch gas pipeline in [Overland Park, Kansas](#) on September 2, causing an explosion and fire. There was no major damage or injuries.<sup>[354]</sup>
- 2013 A 10 inch gas gathering pipeline ruptured & burned in [Newton County, Texas](#) on September 21. About a dozen people from nearby homes were evacuated for a time. There were no injuries.<sup>[355]</sup>
- 2013 On September 24, a Denton TX city water utility worker ruptured a 1/2 inch gas pipeline in [Denton, Texas](#), which immediately caused a fire that gave the worker minor burns. There was no other significant damage.<sup>[356]</sup>
- 2013 A farmer near [Tioga, North Dakota](#) smelled oil for several days before discovering a leaking 6 inch 20 year old Tesoro pipeline under his wheat field on September 29. Crews tried to burn off the oil at first. The spill size was estimated at 865,000 gallons, and covered over 7 acres. There were no injuries. Corrosion was suspected as being the cause. Governor Jack Dalrymple said he wasn't told of the spill until October 9. It was estimated that it will take 2 to 3 years to clean up all the crude spilled.<sup>[357]</sup>
- 2013 On October 7, a gas pipeline burst in [Howard County, Texas](#). There was no fire, but, dangerous hydrogen sulfide in the gas forced evacuations of nearby residents. There were no injuries.<sup>[358]</sup>
- 2013 On October 7, authorities were notified of a Lion Oil Trading and Transportation crude oil pipeline leak in [Columbia County, Arkansas](#). It was estimated that the leak started on September 21. Oil spread into a Horsehead Creek tributary.<sup>[359]</sup>
- 2013 A 30 inch Northern Natural Gas pipeline exploded and burned in [Harper County, Oklahoma](#) on October 8. 220 feet of the pipe was ejected from the ground. Flames were seen for a number of miles, and 4 homes nearby were evacuated. Oklahoma Highway 283 was closed for several hours until the fire was determined to be under control and safe. There were no injuries.<sup>[360]</sup>
- 2013 On October 29, a [Koch Industries](#) 8 inch pipeline spill about 400 barrels of crude oil near [Smithville, Texas](#). The oil polluted a private stock pond and two overflow reservoirs.<sup>[361]</sup>
- 2013 A [Chevron](#) operated LPG pipeline was ruptured near [Milford, Texas](#) on November 14, causing a large fire, and forcing the evacuation of Milford and 200 students of a nearby school. A nearby 14 inch pipeline was threatened by the failure. There were no injuries reported.<sup>[362]</sup>
- 2013 An [ExxonMobil](#) gas plant exploded and burned on November 17, near [Kingsville, Texas](#). The plant burned for over a day, but there were no reported injuries.<sup>[363]</sup>
- 2013 On November 18, a gas pipeline burst near [Ranger, Texas](#), causing a fire in a field, with flames reaching 100 feet high. Some homes nearby were evacuated for a time. The owner of the pipeline, Hanton

# INDIVIDUALS

## IND426 – Lynn Fischer (cont'd)

20140407-5093 FERC PDF (Unofficial) 4/6/2014 11:31:46 PM

IND426-1  
cont'd

Gas, had been installing a new compressor station, and they believe a malfunction led to the rupture and fire. There were no injuries reported.<sup>(436)</sup>

- 2013 On November 28 a 30" Panhandle Eastern natural gas pipeline exploded in Houstonia MO causing several nearby buildings to catch fire. There was a local evacuation but no injuries. Accident was similar to Panhandle Eastern explosion on August 29, 2008.<sup>(437)</sup>
- 2013 On December 9, a 2 inch pipe on a propane dehydrator failed at the Dixie Pipeline Terminal in [Apex, North Carolina](#), forcing evacuations & sheltering in place at nearby businesses. There was no fire or explosion.<sup>(438)</sup>
- 2013 Two natural gas company workers had minor burns when the pipeline they were working leaked, and the escaping gas exploded and ignited in [Shrewsbury, Massachusetts](#) on December 27. Flames reached 30 feet high, and knocked out phone service in the area.<sup>(439)</sup>

IND426-2

My next concern is related to the fact that the NYS DEC advises us to consider the following:

[T]he Applicant must evaluate whether the Project would be reasonably available for supply and distribution for communities along the Project route and whether the Project could reasonably serve as a collector line for additional supply from New York Marcellus and Utica Shale formations. Since the location of the proposed Project route has a high potential for development of natural gas extraction from Marcellus and Utica Shale formations, as indicated in the revised NYSDEC draft Supplemental Generic Environmental Impact Statement on the Oil, Gas and Solution Mining Regulatory Program, September 7, 2011, the draft EIS **must evaluate the cumulative environmental impacts associated with these potential activities."** Patricia J. Denoyers, NYS DEC, 7/17/13 motion to intervene.

As we know, said cumulative environmental impacts for the proposed Constitution Pipeline include gas extraction from the Marcellus and Utica Shale formations. These impacts would include:

- There could be 16 wells per square mile - per formation. Since there are two formations in the yellow study area (Utica and Marcellus), there could be 32 wells per square mile
- The average size of each well pad is 3.5 acres, plus access roads and gathering lines
- It would take 6,700 truck trips to construct ONE pad and frack ONE well

IND426-2

See the responses to comment LA1-4 and FA4-45 regarding hydraulic fracturing.

INDIVIDUALS

IND426 – Lynn Fischer (cont’d)

20140407-5093 FERC PDF (Unofficial) 4/6/2014 11:31:46 PM	
IND426-2 cont'd	<ul style="list-style-type: none"><li>• Where would the drill cuttings and waste water go? In Pennsylvania, producing gas wells are as much as 25 miles from a high pressure gas transmission line</li><li>• A pipe must be laid from each well to a transmission line</li></ul> <p>Compressor stations are located every 2-4 miles along major gathering lines</p> <p>If we were to live in such an environment, our health would be seriously compromised. If we were to try and sell our land so that we could live in a safe environment, we could have serious problems doing so.</p>
IND426-3	<p>Thursday, December 12, 2013</p> <p>The fracking/real estate conundrum Are home value declines near wells another multi-billion dollar subsidy for oil and gas industry?</p> <p>By Joel Dyer</p> <p>The New York State Bar Association calls it the “perfect storm begging for immediate attention.” For homeowners who have been caught in the storm, it is an unmitigated economic disaster. But for the oil and gas industry at the center of it all, it is just the latest potential roadblock threatening to derail its plans to quickly drill up our nation’s natural gas reserves before changing laws and growing negative public sentiment permanently alter the prospect for doing so.</p> <p>We are three among thousands of residents along this proposed pipeline route who are counting on you to protect our right to a safe and secure home, and community. That clearly means refusing the approval of this Constitution Pipeline project. Please imagine yourselves in our position and do what you know in your heart is the right thing.</p> <p>Thank you for you effort and care!</p> <p>Lynn Fischer</p>

IND426-3      See the response to comment LA5-3 regarding property values. The commentor’s request to deny the proposed projects is noted.



# INDIVIDUALS

## IND427 – L. Reik

S-1694

20140407-5094 FERC PDF (Unofficial) 4/6/2014 11:30:39 PM	
<b>Comments to FERC about CP13-499                      April 6, 2014</b>	
IND427-1	<p><b>The proposed pipeline is not in the interest of the region.</b> Seventy five percent of the landowners in Delaware County have refused to lease to the pipeline company – this is not a story of a few holdouts.</p> <p><b>The pipeline is not in the interest of New York.</b> This pipeline would act as a critical connection for the massive build out of the Marcellus and Utica shale fields and conduit for Pennsylvania fracked gas.</p>
IND427-2	<p><b>This pipeline is not in the interest of our country.</b> It will enable the industry to send the gas to new markets and export facilities to drive the price of gas up for their bottom line and prolong our addiction to fossil fuels. Corporate expansion of extreme gas extraction is for export and sale to other nations, which will ultimately raise the price of gas for USA citizens and provide great profits for gas companies. Our USA is facing a massive build out of fossil fuel infrastructure at a time when we must instead be investing in sustainable and renewable energy options.</p>
IND427-3	<p>The DEIS is vague, imprecise, abstract, evasive and muddled. Several specific problems in the DEIS are listed here:</p> <p>“Eminent domain” should be considered in the proper way – one which would benefit the residents rather than private corporations.</p>
IND427-4	<p>Ecological impacts on forests by invasive species are not being recognized properly and plans for protection against invasives are inadequate. Invasive species will need to be controlled for the entire lifespan of the pipeline. The DEIS grossly underestimates, by orders of magnitude, the area of forests being impacted.</p>
IND427-5	<p>FERC’s use of segmentaion of the whole pipeline is an attempt to artificially reduce the appearance of devastation of lands, air and waters. Future compressor stations, other intersecting pipelines, new gas fracking wells and emissions must be considered together for their cumulative impacts. Air, water &amp; land impacts must be addressed completely, not divided for consideration as incremental parts.</p>
IND427-6	<p>Archeological cultural stone structures already located have not been studied and may not be disturbed lawfully until the characteristics are determined.</p>

IND427-1	See the response to comment CO50-22 regarding the number of landowners that have signed an easement agreement. See the response to comment LA7-5 regarding the Applicants stated need for the proposed projects. See the response to comment FA4-45 regarding hydraulic fracturing.
IND427-2	See the response to comment LA7-5 regarding export and need of the proposed projects.
IND427-3	See the response to comment FA8-3 regarding eminent domain.
IND427-4	See the response to comment FA6-10 regarding long-term monitoring of invasive species. See the response to comment CO1-4 regarding forest interior and fragmentation.
IND427-5	See the response to comment IND13-5.
IND427-6	As stated in section 4.10.4 of the EIS, Constitution and Iroquois may not begin construction (if approved) before receiving clearance from the FERC, the PHMC, and the OPRHP.

**INDIVIDUALS**  
**IND428 – Kenneth Jaffe**

S-1695

20140407-5095 FERC PDF (Unofficial) 4/6/2014 10:55:54 PM	
Kenneth Jaffe, MD 2227 Turnpike Road, East Meredith, NY 13757 phone 607-746-6303	
April 6, 2014	
Kimberly D. Bose, Secretary The FERC 888 First Street NE, Room 1A Washington, D.C. 20426	US Army Corps of Engineers New York District, CENAN-OP-R Upstate Regulatory Field Office 1 Buffington Street, Bldg. 10, 3rd Floor Watervliet, New York 12189-4000
Re: Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR	
IND428-1	<p>Serious brain and cardiac birth defects, and poor neonatal outcome where shown to be associated with gas drilling in two recent studies from researchers at Princeton, Columbia, MIT and the University of Colorado School of Public Health. This research was performed on populations in Pennsylvania and Colorado.</p> <p>The DEIS does not address this increase in major birth defects and low birth weight in newborns; the serious short and long term health risks to these children; or the human and economic impacts on families and communities across the region.</p>
IND428-2	<p>The Constitution Pipeline is an open access pipeline, required by Federal law to accept fracked gas along its entire route. It is to facilitate fracking that a ridge top route was chosen in violation of FERC's own guidelines. FERC's guidelines state that new gas transmission lines should be sited to "avoid forested areas and steep slopes. . . ." 18 C.F.R. § 380.15(d)(3). The proposed route is in violation of FERC's guidelines precisely because this pipeline is intended to capture fracked gas through drilling and fracking of high ground. Higher elevations are the preferred sites for fracking, as the gas will be under more pressure at these altitudes.</p> <p>Cabot and Williams have expressed their intent to use the pipeline to capture fracked gas in their internal documents and marketing material.</p> <p>A regional build out of drilling and fracking is predictable because of unusual proposed siting, the expressed corporate intent, and the open nature of the proposed pipeline.</p> <p>Any analysis of the impacts of the proposed pipeline must include a thorough analysis of the health impacts of a complete build out of drilling for natural gas. The DEIS fails to perform this analysis.</p>

- IND428-1

See the response to comment CO57-4 regarding health impacts. The commentor's statements regarding birth defects from gas drilling are noted. See the response to comment LA1-4.
- IND428-2

See the response to comments CO2-1 and CO43-8 regarding collocation. See the responses to comments LA1-4 and FA4-45 regarding hydraulic fracturing.

# INDIVIDUALS

## IND428 – Kenneth Jaffe (cont'd)

20140407-5095 FERC PDF (Unofficial) 4/6/2014 10:55:54 PM

### Gas drilling increases risks to pregnancy and newborns---two recent publications

IND428-2  
cont'd

Published January 6, 2014

In a study presented at the annual meeting of the [American Economic Association](#) in Philadelphia, the researchers -- Janet Currie of Princeton University, Katherine Meckel of Columbia University, and John Deutch and Michael Greenstone of the Massachusetts Institute of Technology -- looked at Pennsylvania birth records from 2004 to 2011 to assess the health of infants born within a 2.5-kilometer radius of natural-gas fracking sites. They found that proximity to fracking increased the likelihood of low birth weight by more than half, from about 5.6 percent to more than 9 percent. The chances of a low Apgar score, a summary measure of the health of newborn children, roughly doubled, to more than 5 percent.

Published January 28, 2014

In the peer review journal: *Environmental Health Perspectives*, a publication of the National Institutes of Environmental Health Sciences. <http://ehp.niehs.nih.gov/1306722/>  
"Birth Outcomes and Maternal Residential Proximity to Natural Gas Development in Rural Colorado"

The relationship between a mother's residential proximity to natural gas wells and its effect on birth defects was examined in more than 124,842 births from 1996 to 2009 in rural Colorado in the large cohort study.

Researchers from University of Colorado School of Public Health concluded that babies born near fracking sites are 100% more likely to have neural tube defects (life threatening brain and spinal abnormalities) and 30 percent more likely to suffer congenital heart defects.

The above research from some of the leading research institutions in the nation documents profound negative impacts from the pipeline on pregnancy and newborn health.

The DEIS completely fails to address the negative health impact on pregnancy and newborns show in the research cited above.

# INDIVIDUALS

## IND428 – Kenneth Jaffe (cont'd)

20140407-5095 FERC PDF (Unofficial) 4/6/2014 10:55:54 PM

IND428-2  
cont'd

Below is an example of the type of analysis which is necessary, but which is missing from the DEIS.

Based on the first study above, and published NY DOH birth statistics, we can predict the additional low birth weight pregnancy outcomes in the counties of the pipeline, if there were full build out of hydrofracking in the counties traversed by the proposed pipeline, and the population was within 2.5 km of a drilling site.  
[http://www.health.ny.gov/statistics/vital\\_statistics/2012/table11.htm](http://www.health.ny.gov/statistics/vital_statistics/2012/table11.htm)

County	total births 2012	2012 newborns with low birth weight	Yearly total low birth weight predicted with proximity to gas drilling	Yearly additional low birth wt newborns predicted to be caused if 2.5 km from gas drilling
Broome	2076	177	284	107
Chenango	542	30	48	18
Delaware	437	32	51	19
Otsego	518	30	48	18
Schoharie	262	13	21	8
<b>totals</b>	<b>3835</b>	<b>282</b>	<b>453</b>	<b>171</b>

As we can see from the column on the far right, there would be a yearly total of 171 additional low birth weight newborns with full build out of fracking in the counties traversed by the proposed pipeline.

The DEIS should perform additional analysis that assesses the added cost of these low birth weight babies, including neonatal ICU and long term pediatric medical care; additional educational services for these children; lost wages of parents caring for these children; lower average level of educational attainment of these newborns.

A similar analysis is necessary for the health and economic impacts of brain, spinal and cardiac defects documented in Colorado study cited above.

It is hard to image a greater abdication of FERC's responsibility than ignoring research on birth defects and abnormal pregnancy outcomes. It appears that FERC has a policy of "Don't ask, don't tell" when dealing with serious public health risks of the proposed pipeline. The DEIS fails to address current research on birth defects and poor neonatal outcomes associated with gas drilling, and the predictable negative short and long term health and economic impacts on families and communities across the region.

Sincerely,

Kenneth Jaffe, MD

S-1697



# INDIVIDUALS

## IND429 – Suzanne Winkler

20140407-5096 FERC PDF (Unofficial) 4/6/2014 10:48:27 PM

April 6, 2014

Suzanne Winkler  
174 Pickens Road  
Burlington Flats, NY 13315

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3rd Floor  
Watervliet, New York 12189-4000

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426

Re: Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR

IND429-1

*As per my scoping comment of October 8, 2012, "I urge the FERC to evaluate what the communities adjacent to the Constitution Pipeline project can expect, using the Millennium Pipeline and the recently approved Compressor Stations as a model."*

*With a blatant disregard for what the communities adjacent to the Millennium pipeline have experienced, this Constitution DEIS brushes aside the above question with the sweeping statement found in section 4.11.1.3 p 4-168 under the heading Operation Emissions:*

*"Emissions generated during operation of Constitution's project would be minimal, limited to emissions from maintenance vehicles and equipment and fugitive emissions (considered negligible for the pipeline). There are no compressors, dehydrators, line heaters, or other emission-generating combustion equipment or odorization facilities proposed for Constitution's project. Any emissions resulting from 4-169 Air Quality And Noise operation of Constitution's project would not be expected to have significant impacts on local or regional air quality."*

*As I wrote when I filed to intervene on July 12, 2013, "I believe it is disingenuous and unethical of FERC to allow the project to be segmented and to allow the applicant to misrepresent it's intended purpose solely as a delivery system", yet that is exactly what the DEIS does in stating that there are no compressors proposed for Constitution's project.*

IND429-1

Section 4.11.1.3 of the EIS provides information regarding Iroquois' proposed modifications to the existing Wright Compressor Station. In order to reduce overall impacts, Iroquois has proposed to modify its existing compressor station rather than Constitution construct a new one. While true that pipeline companies often expand their systems, trying to predict that at this point is speculation. Any future expansion of Constitution's project, including a new compressor station, would require a new, separate NEPA review by the FERC and additional permitting by other local, state, and federal agencies. See the response to comment CO41-29 regarding the Central Compressor Station.

S-1698

# INDIVIDUALS

## IND429 – Suzanne Winkler (cont'd)

20140407-5096 FERC PDF (Unofficial) 4/6/2014 10:48:27 PM

IND429-1  
cont'd

*I believe FERC's approval of this DEIS enables Williams, Cabot, Piedmont and WGL Holdings to make a sham of the entire permitting process. In so doing, FERC becomes a conspirator by knowingly ignoring what has become an inherent part of the natural gas transmission application process. The segmenting of projects allows companies like Constitution and Millennium to portray their pipelines as complete transmission delivery systems. FERC has repeatedly approved pipeline projects which were intentionally engineered and presented in segments so as to avoid accountability.*

*The history of the Millennium Pipeline demonstrates and exposes Constitution's intentions. The development of the two projects are clearly in parallel and show a pattern of behavior that must be stopped. It's time for FERC to lift their head out of the sand and address the problem of segmentation.*

*In June of 2007, FERC authorized Millennium to begin construction on what was at the time believed to be the entire pipeline and Millennium began service on December 22, 2008. In July of 2011 the Millennium Pipeline Company applied for a Certificate of Public Convenience and Necessity to build the Minisink Compressor Station, in February of 2012 the project received approval and in November of 2012 went into service. It was not until after the Minisink Station was under construction in April of 2012, that Millennium submitted their pre-filing request for yet another compressor station, the Hungry Hill Project in Hancock, New York. This "project" began construction in May of 2013 and on March 26, 2014 the Millennium Pipeline Company announced that Hungry Hill went into service. As experts in their field, it is without question that those who engineered and designed the Millennium Pipeline knew that increased capacity would require additional compressor stations, yet they chose not to disclose that information when the project was rolled out.*

*So the problem is this: The gas industry and the pipeline companies working in concert, routinely deceive the public and beat the system by introducing pipelines in segments. Compressor stations are introduced individually, circumventing the application process and sliding past impediments that were put in place to protect the general public. The Constitution Pipeline Company has already sidestepped the application process by denying that the Williams Central Compressor Station is the beginning of the Constitution Pipeline and in so doing, has demonstrated that they act in the interest of their investors with no concern for the health and safety of the community living in the shadow of their compressors or for those living along the pipeline corridor.*

*The Gas industry has developed a strategy that corners FERC into accepting pipeline projects in increments. Constitution's DEIS follows that play book and cheats the application process. I urge that FERC take on their responsibility as the regulatory body and stop this injustice.*

S-1699

INDIVIDUALS

IND429 – Suzanne Winkler (cont’d)

20140407-5096 FERC PDF (Unofficial) 4/6/2014 10:48:27 PM

IND429-2

*FERC has an obligation under the Natural Gas Act to reject projects whose adverse impacts are not outweighed by public benefit. In the past the available science may have supported Certificates of Public Convenience and Necessity for pipeline projects such as this, however in 2014 the science has evolved. Should this regulatory body have the interest and backbone to insist on the appropriate direct, indirect and cumulative emissions and health impact studies and a comprehensive environmental impact study, I believe FERC will understand that that data and the findings from numerous respected peer review studies will no longer support this project.*

*Thank you for your consideration,*

*Suzanne Winkler  
Burlington Flats, NY  
Registered Intervenor*

IND429-2

See the response to comment LA7-5 regarding the Applicants’ stated need for the projects.

INDIVIDUALS  
IND430 – Eugene Marner

Eugene Marner Sunday, April 6, 2014 Page 1

Eugene Marner  
1245 Oak Hill Road  
Franklin, NY 13775

Sunday, April 6, 2014

Kimberly D. Bose, Secretary  
The Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, D.C. 20426

Re: Docket Nos. CP13-499 and CP13-502

IND430-1 I am not a lawyer but, as I understand the NEPA requirements, the applicant may not segment a project. If a project is segmented, its cumulative effects on the environment cannot be evaluated honestly. This project is segmented in several ways.

To begin with, the pipeline is conceived as being dependent on miracles; that is, in violation of the laws of physics, the gas is expected to somehow achieve a pressure of up to 1,480 psi and travel 124 miles without a compressor at the start. Luckily for Williams, however, they just happened to find a compressor right there at the beginning of the pipeline, the Central Compressor Station conveniently located in Susquehanna, Pennsylvania. No, it is not part of the pipeline project claim Williams; during the construction of the compressor station, Williams denied that it was part of the Constitution Pipeline (although project managers and workers at the site asserted that it was the beginning of the pipeline). Apparently, FERC is prepared to countenance this outrageous piece of obvious deception because, in Table 4.13-1, the Central Compressor Station is listed as a "Non-jurisdictional Project-related" facility. This is intolerable. FERC must not accept this false claim but must go back and reconsider the Central Compressor as part of the cumulative impact of the Constitution Pipeline.

IND430-2 During the scoping period, many commenters, including the New York State Department of Environmental Conservation, insisted that FERC must consider the cumulative impact of the build-out of fracking infrastructure and of the fracking process. That development was considered a selling point by Williams when they first proposed the pipeline on their website, as I noted in my comment of March 30th. This is another example of segmentation of the project.

IND430-3 Finally, Williams and the DEIS claim that the purpose of the pipeline is to transport gas from Pennsylvania to the New York and Boston markets. The Iroquois Gas Transmission System, however, has other ideas. I have attached their brochure for the SoNo South-to-North Project which will take the Gas from the Constitution Pipeline and deliver it to Waddington, NY for export to Canada. (See attached Iroquois flyer.) This is yet another instance of segmentation of this project.

IND430-1 See the response to comment CO41-29 regarding the Central Compressor Station.

IND430-2 See the responses to comments LA1-4 and FA4-45.

IND430-3 See the response to comment CO26-18 regarding the SoNo project.

S-1701

INDIVIDUALS

IND430 – Eugene Marner (cont’d)

Eugene Marner

Sunday, April 6, 2014

Page 2

IND430-4

This last is particularly egregious as Williams is asking for the right to take private property American citizens by eminent domain purely for corporate profits, with no benefit whatsoever to the public. It is also yet another instance of Williams’ deceptive tactics.

IND430-5

FERC must return to the DEIS and consider the environmental, political and moral implications of taking people’s homes and properties by force in order to permit a company that seems to have an explosion a week in its existing pipelines export for private profit the gas that is supposed to end our dependence on foreign suppliers.

Sincerely,

Eugene Marner

- IND430-4

See the response to comment FA8-3 regarding eminent domain. See the response to comment CO50-55 regarding positive impacts of the projects.
- IND430-5

See the response to comment IND13-3 regarding safety and comment LA7-5 regarding export. See the response to comment CO47-1 regarding Williams’ safety record.

INDIVIDUALS  
IND430 – Eugene Marner (cont'd)

IND430-5  
cont'd

Eugene Marner

Sunday, April 6, 2014

Page 3

OPEN  
SEASON

SoNo

SERVING EASTERN CANADIAN AND NORTHERN NEW ENGLAND MARKETS

South-to-North Project

**Project Highlights**

- Reverse flow on Iroquois offering physical transportation to U.S.-Canada border
- Open Season Date – December 3, 2013 through January 24, 2014
- Receipt Points
  - Dominion at Canajoharie
  - Constitution at Wright
  - Algonquin at Brookfield
- Delivery Points
  - Waddington
  - Zone 1 Points
- Capacity – up to 300,000 Dth/day
- Term – 15 years minimum
- Proposed in-service date of November 2016

S-1703

INDIVIDUALS  
IND430 – Eugene Marner (cont'd)

Eugene Marner

Sunday, April 6, 2014

Page 4

IND430-5  
cont'd



Project Background

Iroquois owns and operates a 416-mile interstate natural gas pipeline extending from the U.S.-Canada border at Waddington, NY, through New York and western Connecticut to its terminus in Commack, Long Island and in the Bronx, NY. Iroquois commenced full operations in 1992 to bring reliable supplies of competitively priced gas from western Canada into the Northeast. However, in recent years, gas production in Pennsylvania has rapidly expanded to over 13 Bcf/day, spurring a number of new proposals to bring Marcellus shale supplies to Iroquois.

- Constitution Pipeline on June 13, 2013 filed its FERC certificate application to construct a 650,000 Dtd/day pipeline from Susquehanna County, PA to Iroquois at Wright, NY with an in-service date of March 2015. Constitution has requested certificate authorization which will allow it to begin construction in June of 2014.
- Dominion Transmission recently concluded an open season for up to 250,000 Dtd/day of capacity from Leidy to Iroquois at Canajoharie, NY with a proposed in-service date of November 2016.
- Algonquin Gas Transmission currently supplies up to 345,000 Dtd/day to Iroquois shippers at Brookfield, CT. Algonquin recently submitted its FERC pre-filing application for the AIM Project to expand its capacity into New England by up to an additional 450,000 Dtd/day with an in-service date of November 2016.

TransCanada currently has an open season under way which will enable receipt of natural gas from Iroquois and other eastern Canadian supply points beginning in 2016.

The SoNo Project will utilize Iroquois' NGA Section 3 and Presidential Permit authority to export gas to Canada. The level of interest expressed in this Open Season will determine the facilities to be constructed to physically flow gas north into Canada.

Project Rates

SoNo is being offered as an Eastchester vintage project under rate schedule RTS. Actual project rates will be based on the facilities needed for the shippers' proposed capacity paths. The currently projected discounted daily equivalent demand charges are set forth in the table below and shall only apply to the primary contracted South-to-North capacity path. All SoNo shippers will pay the commodity charges, surcharges and fuel applicable to Eastchester shippers as set forth in Iroquois' FERC Gas Tariff.

Receipt Points	Anchor Shipper (≥100 MDT/d)	Non-Anchor Shipper (<100 MDT/d)
Canajoharie, NY	\$0.22	\$0.27
Wright, NY	\$0.22	\$0.27
Brookfield, CT	\$0.37	\$0.42

Allocation of capacity between the different paths will be calculated based on which bids provide the greatest economic value to Iroquois.

Project Term

SoNo contracts will have a minimum term of 15 years. Iroquois is currently proposing an in-service date of November 2016; however, alternate dates may be acceptable if requested. Iroquois reserves the right to phase in SoNo contracts over a period of time to meet shipper needs and permitting timelines.

Open Season Information

This non-binding Open Season shall commence on December 3, 2013 and end at 5:00PM EST on January 24, 2014. During the Open Season, interested parties must submit a fully executed copy of the attached Open Season Bid Form ("OSBF"), specifying:

- a) Maximum Daily Transportation Quantity (MDTQ)
- b) Receipt and Delivery Points with related volume(s)
- c) Requested contract start date
- d) Proposed term

All sections of the OSBF must be completed, and the OSBF must be signed by a duly authorized representative of the bidder. Iroquois reserves the right to only accept bids of at least 15 years.

Limitations and Reservations

Iroquois reserves the right, in its sole discretion, to terminate this Open Season at any time and to decline to proceed with the SoNo Project. Iroquois also reserves the right to reject bids that do not meet Iroquois creditworthiness requirements or are inconsistent with the terms and conditions outlined in this Open Season, and may reject any request for service in which the OSBF is incomplete, contains additional or modified terms, or is otherwise deficient in any respect.

To continue with the project, prospective shippers shall enter into a binding Precedent Agreement. Entry into such Precedent Agreement and any obligations (including construction of facilities and execution of any transportation service agreement) contemplated thereunder are subject to all required management approvals, including final credit and legal approval as well as the approval of Iroquois' Management Committee pursuant to the Iroquois Limited Partnership Agreement, and Iroquois obtaining all necessary governmental and regulatory authorizations to construct and operate the SoNo facilities. Shippers will be responsible for upstream and downstream arrangements, as well as any necessary authorizations for the import/export of natural gas if required.

The Open Season Announcement does not constitute a binding offer, and shall not form the basis for an agreement. Any actions taken by a party in reliance on any terms set forth in this Open Season Announcement or on statements made during negotiations following this Open Season Announcement and prior to the execution of a binding Precedent Agreement shall be at that party's own risk.

Iroquois also reserves the right to proceed with one or more projects that will be defined through the contracting process and to develop alternative projects from the requests received during this Open Season that may be more representative of the timing requested and markets served.

Contact

For more information please contact:

Todd White  
Director, Market Development and Customer Service  
203.925.7284  
todd.white@iroquois.com

Robert Perless  
Project Development Manager  
203.944.7016  
robert.perless@iroquois.com

Maria Nemchek  
Capacity Marketing and Asset Optimization Manager  
203.944.7004

S-1704

# INDIVIDUALS

## IND431 – Kenneth Jaffe

20140407-5101 FERC PDF (Unofficial) 4/6/2014 10:46:45 PM

Kenneth Jaffe  
Slope Farms LLC  
2227 Turnpike Road, East Meredith, NY 13757

April 6, 2014

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3rd Floor  
Watervliet, New York 12189-4000

Re: Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR

IND431-1

Agriculture is a leading industry in region of the proposed pipeline. Two recent studies, by researchers at Cornell and Penn State independently show that the farming industry shrinks in areas with gas drilling. Both studies were published prior to the release of the DEIS. The research was done in Pennsylvania, and demonstrated a decline in the dairy industry, with a reduction in regional herd size and milk production associated with hydrofracking. The DEIS does not address this predictable outcome of the proposed pipeline, and fails to address, analyze or weight the economic and social impacts on the agricultural industry and the cascading impacts on agricultural support industries across the region.

IND431-2

The Constitution Pipeline is an open access pipeline, required by Federal law to accept fracked gas along its entire route. It is to facilitate fracking that a ridge top route was chosen in violation of FERC's own guidelines. FERC's guidelines state that new gas transmission lines should be sited to "avoid forested areas and steep slopes. . . ." 18 C.F.R. § 380.15(d)(3). The proposed route is in violation of FERC's guidelines precisely because this pipeline is intended to capture fracked gas through drilling and fracking of high ground. Higher elevations are the preferred sites for fracking, as the gas will be under more pressure at these altitudes.

Cabot and Williams have expressed their intent to use the pipeline to capture fracked gas in their internal documents and marketing material.

A regional build out of drilling and fracking is predictable because of unusual proposed siting, the expressed corporate intent, and the open nature of the proposed pipeline.

Any analysis of the impacts of the proposed pipeline must include a thorough analysis of the regional effects—including economic impacts—of a complete build out of drilling for natural gas. The DEIS fails to perform this analysis.

I will briefly review the research on negative impacts of gas drilling agriculture to show the scope problem, which the DEIS fails to address.

IND431-1 See the response to comments LA1-4 and FA4-45 regarding hydraulic fracturing. Row crops may still be grown in agricultural areas following installation of the pipeline as described in section 4.8.1 of the EIS.

IND431-2 See the response to comments LA1-4 and FA4-45 regarding hydraulic fracturing. See the response to comment CO1-2 regarding collocation.



# INDIVIDUALS

## IND431 – Kenneth Jaffe (cont'd)

20140407-5101 FERC PDF (Unofficial) 4/6/2014 10:46:45 PM

IND431-2  
cont'd

A study titled *Marcellus Shale Drilling's Impact on the Dairy Industry in Pennsylvania: A Descriptive Report*, was published in February 2013 in the peer review journal *New Solutions*. The authors are researchers at Cornell, University of Medicine and Dentistry of New Jersey, and Hunter College.

See pages 189 to 202 at

<http://baywood.metapress.com/app/home/contribution.asp?referrer=parent&backto=issue,11,13;journal,6,92;linkingpublicationresults,1:300327,1>

The authors compared dairy farms in the PA counties with the most wells drilled (average 620 well) to adjacent counties with under 100 wells (average 38). They measured changes in dairy herd size and milk production between 2007 (when horizontal hydrofracking became active) and 2011. Farm data came from the USDA Ag Census (The National Agricultural Statistics Service). Drilling data came from the PA DEP.

The counties with the most wells were Bradford, Lycoming, Susquehanna, Tioga, and Washington. The adjacent counties with under 100 wells were Beaver, Clinton, Lackawanna, Potter, Somerset, and Sullivan).

During the period of fracking expansion (2007-2011) the most heavily drilled counties experienced a 30% loss of milk cows compared to a 3% loss in counties with fewer than 100 wells. Milk production dropped 23% in the heavily drilled counties and 1% in counties with under 100 wells. (see Table 1)

Table 1. Percent Change In Number of Milk Cows, Total Milk Production  
and Number of Wells Drilled by County 2007-2011

Counties with most wells drilled

	percent change in number of milk cows	percent change in total milk production (pounds)	wells drilled 2007-2011
Bradford	-26	-21	955
Tioga	-18	-17	690
Washington	-47	-29	536
Lycoming	-36	-27	466
Susquehanna	-25	-24	454
Average	-30	-23	620

# INDIVIDUALS

## IND431 – Kenneth Jaffe (cont'd)

20140407-5101 FERC PDF (Unofficial) 4/6/2014 10:46:45 PM

IND431-2  
cont'd

	Adjacent counties with fewer than 100 wells drilled		
	percent change in number of milk cows	percent change in total milk production (pounds)	wells drilled 2007-2011
Sullivan	-5	-3	41
Clinton	0	1	88
Potter	12	9	72
Lackawanna	0	10	2
Somerset	-12	-11	19
Beaver	-11	-10	7
average	-3	-1	38

*from Table 1, Marcellus Shale Drilling's Impact on The Dairy Industry in Pennsylvania, New Solutions, vol 23(1) 189-201, 2013*

A second study done at Penn State looked at all counties across Pennsylvania from 2007-2010.

<http://extension.psu.edu/pubs/ee0020>

The authors, led by Timothy W. Kelsey, professor of agricultural economics, stated

"Changes in dairy cow numbers also seem to be associated with the level of Marcellus shale drilling activity. Counties with 150 or more Marcellus shale wells on average experienced an 18.7 percent decrease in dairy cows, compared to only a 1.2 percent average decrease in counties with no Marcellus wells.

"The NASS and Department of Environmental Protection data suggest that increases in the number of Marcellus shale wells are associated with declines in cow numbers and milk production."

The above research from the two leading regional agricultural research institutions documents profound predictable negative impacts from the pipeline on agriculture.

The DEIS completely fails to address the negative impacts on agriculture demonstrated in the research cited above, even though agriculture is the major industry in many towns along the proposed pipeline route. Negative impacts to the farm economy with cascade through support industries, including feed dealers, equipment sales and repair, trucking, auction sales, farm labor, with the long lasting negative multiplier effect that has been well documented in agricultural economic analysis. The DEIS fails to address this research on negative impact on agriculture, or the associated negative economic impacts on regional employment, income, or population.

Sincerely,

Kenneth Jaffe  
Slope Farms LLC  
Meredith, NY

S-1707

# INDIVIDUALS

IND432 – Linda Jaffe

Linda A. Jaffe  
Slope Farms LLC  
2227 Turnpike Road  
East Meredith, NY 13757

April 6, 2014

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3rd Floor  
Watervliet, New York 12189-4000

Re: Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR

- IND432-1

Serious negative impacts to farming, the regional farm economy, and farm family health are expected from the proposed pipeline. Yet the DEIS is mute on these impacts, failing to address these risks to farming and farm families.

As the owner of a farm business, with a family whose health and well being will be impacted by effects of the pipeline, the silence of the DEIS on issues related to farming is deafening.
- IND432-2

The Constitution Pipeline is an open access pipeline, required by Federal law to accept fracked gas along its entire route. It is to facilitate fracking that a ridge top route was chosen in violation of FERC's own guidelines. FERC's guidelines state that new gas transmission lines should be sited to "avoid forested areas and steep slopes. . . ." 18 C.F.R. § 380.15(d)(3). The proposed route is in violation of FERC's guidelines precisely because this pipeline is intended to capture fracked gas through drilling and fracking of high ground. Higher elevations are the preferred sites for fracking, as the gas will be under more pressure at these altitudes.

Cabot and Williams have expressed their intent to use the pipeline to capture fracked gas in their internal documents and marketing material.

A regional build out of drilling and fracking is predictable because of the expressed corporate intent of the pipeline companies, the unusual proposed siting, and the open nature of the proposed pipeline.

Any analysis of the impacts of the proposed pipeline must include a thorough analysis of the impacts on farms, the regional farm economy, and farm family health that will occur with the expected build out of drilling for natural gas. The DEIS fails to perform this analysis.

- IND432-1

Sensitive resources, as well as potential impacts and mitigation for farmland/agriculture are discussed in sections 2.3.2, 4.2, 4.8.4, and appendix J of the EIS.
- IND432-2

See the response to comment LA1-4 and FA4-45 regarding hydraulic fracturing.

# INDIVIDUALS

## IND432 – Linda Jaffe (cont'd)

IND432-3

There are multiple threats to farms and farm families—productivity, the economy of the farming industry, animal health, food safety, consumer acceptance and sales, and farm family health.

- **Farm productivity** is threatened by the dangerously high ozone levels that we have seen caused by hydrofracking in the rural west. The USDA stating that ozone "does more crop damage than all other all pollutants combined", directly threatening yields of critically important regional crops—clover, soybeans, maple, grapes—and threatening economic viability of farm businesses. There is extensive published literature from around the nation on the economic impact of ozone on crop yields in dozens of species of plants. With a local rise in ozone to levels seen from fracking in Sublette County, WY, we would see a drop of 30% in the yields of some of our critical crops.
- **The regional farm economy**—Recent research from Penn State and Cornell demonstrated that hydrofracking has caused a shrinkage of the farm economy in Pennsylvania, lowering production of milk and shrinking the size of the regional dairy herd by 18-25%.  
<http://baywood.metapress.com/app/home/contribution.asp?referrer=parent&backto=issue,11,13;journal,6,92;linkingpublicationresults,1:300327,1>  
and  
<http://extension.psu.edu/pubs/ee0020>
- **Livestock health** is at risk from animals drinking contaminated surface water and eating contaminated pasture. Cattle are attracted to the saltiness of flow back water spills. With tens of millions of toxic fluid handled at each well pad, and one pad per square mile, surface spills are frequent, sizable, unreported. The spills contaminate the ponds and streams that livestock use for drinking water. We have already seen
  1. Chesapeake Company fined for causing mass cattle deaths in Louisiana from toxic exposure at a fracking site.
  2. quarantine of dozens of contaminated cattle in PA after a spill
  3. numerous episodes of animal death, still birth, and deformity, as documented in the peer review research of Cornell researchers Bamberger and Oswald in "*Impact of Gas Drilling on Human and Animal Health*"  
[http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CCgQFjAA&url=http%3A%2F%2Fwww.psehealthenergy.org%2Fdata%2FBamberger\\_Oswald\\_NS22\\_in\\_press.pdf&ei=N91BU56nKejC2wWihlDoBQ&usg=AFQjCNGERgC8HgNgHSp8LeKNa gVTkU7X4A&bvm=bv.64367178,d.b2l](http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CCgQFjAA&url=http%3A%2F%2Fwww.psehealthenergy.org%2Fdata%2FBamberger_Oswald_NS22_in_press.pdf&ei=N91BU56nKejC2wWihlDoBQ&usg=AFQjCNGERgC8HgNgHSp8LeKNa gVTkU7X4A&bvm=bv.64367178,d.b2l)
- **Food safety** --- there is risk of toxic residue in meat and milk from animals ingesting contaminated water. These concerns are expressed by Dr. Christopher Portier, the CDC's Director of the National Center for Environmental Health in his call for study of the health risk of hydrofracking (bold type added)  
"Studies should include **all the ways people can be exposed, such as through air, water, soil, plants and animals**. In addition to groundwater, exposure pathways could include the air at well sites, impoundment sites, and compressor stations both locally and regionally; **livestock on farmed lands consuming potentially impacted surface waters**; and recreational fish from potentially impacted surface waters."
- **Customer acceptance and sales** --- large wholesale customers, including our largest customer, have stated publicly that they will not buy food product from areas with hydrofracking. If fracking occurs near our farm, which is 5 miles from the proposed pipeline, we will be out of business.

IND432-3

See the response to comments CO41-21 and IND13-4 regarding air quality. See the responses to comments LA1-4 and FA4-45 regarding hydraulic fracturing.

INDIVIDUALS

IND432 – Linda Jaffe (cont'd)

IND432-3  
cont'd

- **Risk to farm family health** from water and air pollution, physical and psychological trauma. These scope of these risks are discussed in detail in the recent peer review article from Dr. Adgate, the chair to the Department of Environmental & Occupational Health at the Colorado School of Public Health: *"Potential Public Health Hazards, Exposures and Health Effects from Unconventional Natural Gas Development"*. <http://pubs.acs.org/doi/abs/10.1021/es404621d>  
The study states:  
"For communities near development and production sites the major stressors are air pollutants, ground and surface water contamination, truck traffic and noise pollution, accidents and malfunctions, and psychosocial stress associated with community change."  
**Pregnancy and neonatal health**—recent research demonstrates that hydrofracking is associated with marked increase in the risk of life threatening disorders of newborns: a doubling of the risk spinal and brain abnormalities; a 30% increased risk of cardiac birth defects; and a 60% increase of low birth weight babies. <http://ehp.niehs.nih.gov/1306722/>  
  
Yet FERC and the DEIS address none of the serious impacts of proposed pipeline that will place farming and farm families at risk.  
  
The DEIS should not be accepted. It must include a thorough analysis of risks to farm productivity, the regional farming economy, livestock health, consumer acceptance of regional agricultural products, and the health of farm families.

Sincerely,  
  
Kenneth Jaffe  
Slope Farms LLC  
Meredith, NY

S-1710

# INDIVIDUALS

## IND433 – William and Christine Roche

20140407-5104 FERC PDF (Unofficial) 4/6/2014 10:35:01 PM

William and Christine Roche

50 West Main Street

Bainbridge, NY 13733

April 5, 2014

Kimberly D. Bose, Secretary

The FERC

888 First Street NE, Room 1A

Washington, D.C. 20426

US Army Corps of Engineers

New York District, CENAN-OP-R

Upstate Regulatory Field Office

1 Buffington Street, Bldg 10, 3<sup>rd</sup> Floor

Watervliet, New York 12189-4000

Re: Docket Nos. CP13-499 and CP-502, NAN-2012-00449-UBR

IND433-1

We are owners of 127 acres in Davenport, New York. The proposed route of the Constitution Pipeline transverses our land. We have not allowed our property to be surveyed and will not sign an easement. We ask that FERC not confer eminent domain to the Constitution Pipeline. Please allow the landowner to stand tall against this for-profit-corporation. Knowing that in America, a for-profit-corporation can enhance the dollars for their stockholders' purse by ceasing our property through eminent domain should cause all of America to stand up and shout, "No... Not here in America". This is our land. We are the stakeholders here, the stewards of this land, and we choose not to partner with the Constitution Pipeline.

As a family we continue to be concerned with the steep slope this pipeline is planned upon in our area. Just this week there were several Williams' natural gas explosions, one at Moundsville, West Virginia, that was caused by a "slip in a hillside". Evacuation of surrounding homes was needed. We walked today on our 127 acres, holding hands, waiting for the ice to melt off the pond and listening to the red-wing blackbirds announce their arrival. Evacuation never entered our day during our walk, but the worry of what may come did. Please don't change what corporate America and bankers can't bean-count - our quality of life and the animals and land we are stewards for.

After reading the DEIS we are amazed at the conclusions cited, given the lack of actual non-desk survey information that was supplied to FERC by the Constitution Pipeline. Our family is interested in your

IND433-1

See the response to comment FA8-3 regarding eminent domain. The commentor's statement to not sign an easement is noted. See the response to comment CO1-2. See the response to comment LA5-3 regarding property values. See the response to comment IND13-3 regarding safety.

INDIVIDUALS

IND433 – William and Christine Roche (cont’d)

20140407-5104 FERC PDF (Unofficial) 4/6/2014 10:35:01 PM	
IND433-1 cont'd	<p>specific data regarding the socioeconomic cost-loss ratio. Where does the landowner benefit in regards to real estate valuation, tax advantages and quality of life?</p> <p>We worked for 40 years to acquire this land and become stewards of the land and the environment we so enjoy and love. The apple tree we were married under means nothing to this pipeline company, yet any human being worth their salt would squirm at the idea of not knowing the meaning of these family landmarks.</p> <p>This corporation is faceless here. They are not a friend and neighbor. They're magnets to those who stand to make a dollar. This company wishes to fragment our land and are tearing at the very fabric our mothers grew us to believe in - friends, neighbors, honesty, clean air and water and an environment free of contaminants.</p> <p>We urge FERC to deny the application and not convey eminent domain.</p> <p>William and Christine Roche</p>

# INDIVIDUALS

## IND434 – Chelsea Laible

Chelsea Laible  
565 Rose Lane  
Davenport, New York  
13750

April 6, 2014

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3<sup>rd</sup> Floor  
Watervliet, New York, 12189-4000

Re: Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR

IND434-1

I am a fourth generation native of Davenport, New York. I am educated; I earned a college degree. I have worked both with a company in the top 100 of the Fortune 500 list, and one who has appeared yearly on Fortune's "Best Companies to Work For" since the list began in 1998. Although many factors could have led me in a number of different directions, I could never call anywhere else home. Our way of life, our history, past experiences, and unforeseen ones have led to an overwhelming proclamation; please stop the Constitution Pipeline from being constructed in an area of unsurpassed beauty and history.

The dynamics and way of life in this area is something that many do not understand. From the outside, looking in, we are collectively seen as environmental, off the grid hillbillies. When in reality, many of us are simply living in ways to support a more sustainable environment. Many of us are protecting a legacy that began decades ago. And many of us are building a future off what surrounds us. By cutting down our forests, filling in waterways, and blasting land to make way for a pipeline, you are destroying futures. In many cases, you are taking away sources of income that will never be replaced in this lifetime.

In 2004, a gas pipeline in the town of Harpersfield, New York exploded shooting flames high into the sky that could be seen from miles away. My brother, a volunteer fire fighter, was one of the first ones on scene. The site looked like an airplane had crashed. Trees were charred and burned, personal property was destroyed, and animals lost their lives. Driving by today, you can still see the scars from over ten years ago. According to the United States Department of Transportation - Pipeline and Hazardous Materials Safety Administration, that incident resulted in \$310,620 in damage. The reason the incident occurred was due to natural force damage - earth movement. The town of Davenport is part of the Catskill mountain range; our environment is forever changing. Mountains that were formed years ago are still growing, still changing. The dangers of running a pipeline through this area will only create major problems in the future. Again, according to the United States Department of Transportation - Pipeline and Hazardous Materials Safety Administration, the yearly reported total in damages from 2000 to 2013 due to natural force damage came to \$1,727,787,431. I believe this total speaks for itself. This area is not safe to construct this pipeline.

IND434-1

See the response to comment IND13-3 regarding safety. As specified in section 4.12 earth movement makes up 3.1 percent of all incidents from 1993 through 2012.



# INDIVIDUALS

## IND434 – Chelsea Laible (cont'd)

S-1714

IND434-2	<p>In 2006, horrific flooding occurred across numerous counties in upstate New York causing \$1,000,000,000 in damages. Roads were washed away as culverts failed, and roads were unable to handle the capacity of water. Clear cutting forests on the sides of hills, and blasting away the structure of mountain sides will put us back in the same dangerous situation. Only this time less rainfall will be required to put the lives of many at risk. What would happen if emergency support was not able to be reached because roads were washed away? I am not willing to take this risk, we have been there before.</p>
IND434-3	<p>Experiences with pipeline personnel and those in support have never been positive. The attitude toward opposition has always been that of disrespect coupled with untruths and scare tactics. When land easements were proposed, an executive from Cabot-Williams personally traveled to Long Island, New York to convince an elderly summer home resident into signing away her land for the proposed project. When she realized what had happened, she contacted a lawyer and revoked all rights she had been tricked into signing away. In the land survey stages, many individual's private property was trespassed upon without granted permission. More recently, tractor trailer after tractor trailer load of pipe and construction materials have been transported up the interstate to staging areas in Schoharie County. On April 1<sup>st</sup> at the FERC hearing in Oneonta, New York, hundreds of union workers were bussed in from Albany, Binghamton, and Utica, claiming to be "locals". At the hearing, many of these individuals were rude, heckling those who were speaking against the pipeline, it even escalated to physical contact. At nine o'clock, just two hours after the meeting had begun, nearly half of all the union workers had left; they didn't care about what others who opposed them had to say. A few gentlemen in particular stand out in my memory. One took a "Stop the Pipeline" sign, walked up and down the auditorium aisle, ripping it up and laughing. Another yelled "shut up" to someone who was speaking. Arguments made by the union worker group that night certainly weren't of substance, and were repeated time and time again. Those who spoke against the project stated obvious facts from the DEIS and made a point of how this would affect them; these weren't cookie cutter statements. I hope the words and actions of everyone from that meeting stick with the FERC officials. If any point was made, it was to stop the Constitution pipeline from being constructed.</p>
IND434-4	<p>In the town of Davenport, New York, a survey was conducted in regards to opinions of the proposed project. An overwhelming 77% of those responding said they were opposed; 87% of those directly affected said they were opposed. Within the last week, the town submitted a comment to the FERC enacting a resolution opposing the permitting of the Constitution Pipeline, and the project running through the town of Davenport. It is clear; the pipeline is not wanted here.</p> <p>In the coming days, I hope the FERC deeply considers the decision they are about to make. This is not about the coming months, or even years ahead. This is about the long-term impact that will affect generations and generations to come. I ask that our way of life, our history, past experiences, and unforeseen ones are thoroughly considered. This is our home, and will always be our home. Please STOP THE CONSTITUTION PIPELINE!</p> <p>Sincerely, Chelsea Laible</p>

IND434-2 See the response to comments CO1-5 and IND113-1 regarding flooding. See the response to comments CO1-4 and IND169-1 regarding erosion.

IND434-3 See the response to comment IND54-1 regarding delivery of pipe segments. See the response to comment CO50-108 regarding the comment meetings.

IND434-4 The commentor's opposition and request to deny the proposed projects is noted.

# INDIVIDUALS

## IND435 – Janet L. Marsh

S-1715

20140407-5106 FERC PDF (Unofficial) 4/6/2014 10:16:33 PM	
This comment has been submitted twice by the same individual	
Kimberly D. Bose, Secretary The FERC 888 First Street NE, Room 1A Washington, D.C. 20426	
US Army Corps of Engineers New York District, CENAN-OP-R Upstate Regulatory Field Office 1 Buffington Street, Bldg. 10, 3rd Floor Watervliet, New York 12189-4000	
Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR	
IND435-1	Fossil fuels have reached the point where they can only be produced by using methods that are extreme, costly and dangerous to our rural communities.
IND435-2	Cabots Williams is not a company I want putting in a 30" high pressure pipeline. From selecting a name like "constitution" thinking it will somehow validate them as "good" when they show up in a depressed rural area, to the damage Cabot caused in Pennsylvania where people still have no WATER,
IND435-3	to their horrendous safety record, NOW the profit driven corporation behind this pipeline threatens to use eminent domain to seize our private property in Delaware and 3 other New York counties in order to ship fracked gas to urban and foreign markets.
IND435-4	For us rural residents who love and appreciate our land, forests and water bodies, use best management practices to care for the land we appreciate and value, think about this : Nearly all of the pipeline route would cross fragile and difficult terrain including 36 miles of woods, 277 rivers, ponds and streams, 35.1 miles of steep and side slopes, which will contribute to additional flooding, 45.4 miles of shallow bedrock – which will require blasting and over 10.7 miles of wetlands – critical to ecological processes. The proposed pipeline is slated to travel through 555.3 acres of PRIME farmland and 33.4 miles in agricultural districts.
IND435-5	Cabot Williams is not following FERC recommendations regarding steep slopes. It's purposefully crossing ridge tops in preparation for their FRACKING company to follow them in. Check leases along the 'proposed

IND435-1	The commentor's statements regarding fossil fuels are noted.
IND435-2	The commentor's statements regarding Cabot and Williams are noted.
IND435-3	See response to comment CO47-1 regarding Williams' safety record. See the response to comment FA8-3 regarding eminent domain.
IND435-4	Sensitive resources, as well as potential impacts and mitigation, are discussed in the EIS for interior forest (section 4.5.3), waterbodies (section 4.3.3), steep slopes (sections 2.3.2, and 4.1.3; appendix G), shallow bedrock (sections 2.3.1 and 4.1.3; appendix I), wetlands (section 4.4 and appendix L), air quality (section 4.11.1), and farmland/agriculture (sections 2.3.2, 4.2, 4.8.4, and appendix J).
IND435-5	The commentor's statement regarding gas leases is noted. The Commission does not have a standard procedure that requires applicants to avoid steep slopes.

INDIVIDUALS

IND435 – Janet L. Marsh (cont’d)

20140407-5106 FERC PDF (Unofficial) 4/6/2014 10:16:33 PM	
IND435-5 cont'd	pipeline'. You may find the properties where gas leases have been signed follow the route of the UNconstitutional pipeline. There are plenty of irreversible impacts Cabot Williams can do with the pipeline infrastructure alone:
IND435-6	Starting with the clear-cutting of hundreds of thousand of trees, the use of herbicides to maintain the clear-cut areas, the restrictions to our land, the noise and structural damage from blasting and jackhammers, our village and town water and personal wells and water bodies being contaminated from the blasting, the degradation of our water quality, and the additional paths this project will create for storm runoff.
IND435-7	According to the NY State Governor’s Office on 1/9/13, “There is a 100 year flood every 2 years now.” Think of the increase in flooding should this project go through.  The invasion and destruction of Upstate NY only profits big corporations and sold-out politicians who are want to get the last dollar out of an obsolete industry by desperate and dangerous efforts. The profit is not ours. The damage left behind is ours.  Janet L. Marsh Sidney, NY Unadilla mailing address

IND435-6	See the response to comment CO42-93 regarding herbicides and maintenance of the right-of-way. Section 4.3.2.1 of the EIS discusses potential impacts on water resources from blasting. See the response to comments CO1-4 and IND169-1 regarding erosion.
IND435-7	See the response to comments CO1-5 and IND113-1 regarding flooding. The commentor’s opposition to the proposed projects is noted.

# INDIVIDUALS

IND436 – Diane Sefcik

Dianne Sefcik, Registered Intervenor  
194 Clickman Rd  
Westerlo, NY 12193

April 4, 2014

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3rd Floor  
Watervliet, New York 12189-4000

Re: Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR

IND436-1

**Comment:** The DEIS says that “Constitution and Iroquois would operate and maintain the newly constructed pipeline facilities in the same manner as they currently operate and maintain their existing systems”, but it does not address the history of felonies and violations related to compliance with safety and environmental regulations of the applicants.

I live in Westerlo, Albany County, NY. The **Iroquois** pipeline, party to the Constitution application, runs through my town. The **Tennessee** pipeline is only a few miles away in Berne. The compliance histories of these companies is relevant to assessing compliance expectations for the proposed Constitution pipeline project.

The section of the DEIS on “Operation, Maintenance and Safety Controls” says:

*“Constitution and Iroquois would operate and maintain the newly constructed pipeline facilities in the same manner as they currently operate and maintain their existing systems.”*

The DEIS, however, does not disclose or address even a preliminary history of the felonies and violations associated with the operation and maintenance of existing systems by parties to this application.

Does FERC have the resources to ensure compliance, given the record of these companies?

FERC must not allow these parties to self-regulate if it is serious about expecting regulatory compliance.

IND436-1

See response to comment CO47-1. See the response to comment FA4-12 regarding our third-party compliance monitoring program.

S-1717

# INDIVIDUALS

## IND436 – Diane Sefcik (cont'd)

S-1718

IND436-1  
cont'd

### Relevant Excerpts from the DEIS:

#### 1) Section 2.6: OPERATION, MAINTENANCE, AND SAFETY CONTROLS

*“Constitution and Iroquois would operate and maintain the proposed pipeline and/or aboveground facilities in compliance with the DOT’s regulations provided in 49 CFR 192, the Commission’s guidance at 18 CFR 380.15, and the maintenance provisions of their Plan and Procedures. **Constitution and Iroquois would operate and maintain the newly constructed pipeline facilities in the same manner as they currently operate and maintain their existing systems.** The pipeline right-of-way would be patrolled by either aerial flyovers or ground surveys on a schedule as described in table 2.6-1, although additional ground surveys would be conducted as necessary.*

*The new pipeline would be patrolled to identify:*

- erosion concerns occurring along the right-of-way;
- the performance status of water control devices and stormwater structures;
- the condition of the banks at waterbody and wetland crossings;
- third-party activity along the pipeline right-of-way;
- the condition/success of vegetation and plantings;
- the presence of invasive plant species; and
- any other conditions that could threaten the pipeline.

**Constitution’s management staff would be notified by its inspectors of any conditions that need attention.** Corrective measures would be performed as needed. Aboveground facilities such as M&R stations and MLV’s would also be inspected to ensure proper working conditions. The pipeline cathodic protection system would also be monitored and inspected periodically to ensure proper and adequate corrosion protection.

*Maintenance of the proposed pipeline permanent right-of-way in uplands generally would consist of mowing once every 3 years. However, Constitution may mow a 10-foot-wide strip centered over the pipeline in both upland and wetland areas (with the exception of the HDD segments), along with selective cutting and removal of trees greater than 15 feet high located within 15 feet of the pipeline within wetlands, to facilitate inspections. All workspaces affected temporarily during construction would be stabilized and seeded, and then allowed to eventually revert back to pre-project conditions.*

*The pipeline facilities would be clearly marked at line-of-sight intervals and at crossings of roads, railroads, and other key points. The markers would indicate the presence of the pipeline and provide a telephone number and address where a company representative could be reached in the event of an emergency or before any third party excavation in the area of the pipeline.*

# INDIVIDUALS

## IND436 – Diane Sefcik (cont'd)

IND436-1  
cont'd

*Constitution and Iroquois participate in the "Call Before You Dig" and "One Call" programs and other related pre-excavation notification organizations.*

*Iroquois would also inspect and maintain the proposed compressor station facilities, including calibrating equipment; checking; [sic] the odorization system; assessing cathodic protection systems; checking safety systems; and monitoring pressures, temperature, and vibration data. Iroquois would also mow and maintain the landscaping around the compressor station."*

### 2) Section 2.3.2.6 re Winter Construction:

*"Constitution has proposed to place its project into service in March 2015, and would seek approval to begin construction as soon as all necessary federal approvals can be obtained."*

### 3) Page 2-17 Project Description re Lowering-in and Backfilling

*"Before the pipeline is lowered-in, the trench would be inspected to ensure that it is free of rocks and other debris that could damage the pipe or protective coating. Typically, any water that is present in the trench would be removed and pumped to a vegetated upland through an approved filter. Constitution would use a padding machine to ensure that rocks mixed with subsoil do not damage the pipe. The padding would consist of subsoil free from rocks and would surround the pipe along the bottom, both sides, and at the top. No topsoil would be used as padding material. Where there is not sufficient padding material on site or when the native material that was excavated from the trench is not suitable backfill material (i.e., rocky), the acquisition of backfill from other sources may be necessary.*

*After the pipe is lowered into the trench, final tie-in welds would be made and inspected, and then the trench would be backfilled. All suitable material excavated during trenching would be re-deposited into the trench using bladed equipment or backhoes. If rock is excavated from the trench and subsequently used as backfill, it would not be allowed to extend above the soil horizon where it naturally is found. The top of the trench may be slightly crowned to compensate for settling."*

### 4) Page 2-32 Project Description re Markers:

*"The pipeline facilities would be clearly marked at line-of-sight intervals and at crossings of roads, railroads, and other key points. The markers would indicate the presence of the pipeline and provide a telephone number and address where a company representative could be reached in the event of an emergency or before any third party excavation in the area of the pipeline. Constitution and Iroquois participate in the "Call Before You Dig" and "One Call" programs and other related pre-excavation notification*

# INDIVIDUALS

## IND436 – Diane Sefcik (cont'd)

S-1720

IND436-1  
cont'd

organizations.”

### 5) Page 4-198 Reliability And Safety re Pipeline Accident Data

*“The DOT requires all operators of natural gas transmission pipelines to notify the DOT of any significant incidents and to submit a report within 20 days. Significant incidents are defined as any leaks that:*

- cause a death or personal injury requiring hospitalization; or*
- involve property damage of more than \$50,000 in 1984 dollars.*

*During the 20-year period from 1993 through 2012, a total of 1,182 significant incidents were reported on the more than 300,000 total miles of natural gas transmission pipelines nationwide.*

*Additional insight into the nature of service incidents may be found by examining the primary factors that caused the failures. Table 4.12.1-2 provides a distribution of the causal factors, as well as the number of each incident by cause. **The dominant incident cause is corrosion and pipeline material, weld or equipment failure constituting 48.5 percent of all significant incidents. The pipelines included in the data set in table 4.12.1-2 vary widely in terms of age, pipe diameter, and level of corrosion control. Each variable influences the incident frequency that may be expected for a specific segment of pipeline. The frequency of significant incidents is strongly dependent on pipeline age. Older pipelines have a higher frequency of corrosion incidents, since corrosion is a time-dependent process.***

### I submit the following comments and references:

The regulatory compliance and history of violations assessed on the parties to this application are relevant to the expectations of compliance with the Constitution project and to the regulatory effort that would be required to ensure safety and environmental compliance.

This history is not addressed in the DEIS. FERC's resources to enforce compliance, based on this history, is not addressed in the DEIS..

### A partial list of relevant and notable violations:

**1) The Iroquois pipeline was put into service in 1992. On May 23, 1996 the New York Times reported <sup>1</sup> that they were fined \$22 million dollars:**

<sup>1</sup> NYT, May 24, 1996, "Pipeline Concern Draws \$22 Million Fine" By William Glaberson

# INDIVIDUALS

IND436 – Diane Sefcik (cont'd)

S-1721

IND436-1  
cont'd

*"After years of saying the natural gas pipeline it built from the Canadian border to Long Island was safe and environmentally sound, **the company that operates the Iroquois Pipeline pleaded guilty today to four felonies for violating Federal environmental laws.***

***The company agreed to pay \$22 million in fines, making the case the biggest criminal environmental prosecution since Exxon Corporation agreed to pay \$125 million for the Exxon Valdez oil spill in Prince William Sound in Alaska.***

*In addition, four of the Iroquois Pipeline Operating Company's former executives, including its former president, Robert J. Reid, pleaded guilty to misdemeanors and agreed to help prosecutors in other cases."*

*...Mr. Reid acknowledged ... that Federal permits required numerous so-called trench breakers that stop soil erosion around the pipe.*

*"Those precise requirements were not met," he said.*

***Prosecutors had said many of the required trench breakers were omitted as part of a widespread effort to cut corners that compromised the environment and risked a potentially explosive break in the pipe.***

*...Craig A. Benedict, the assistant United States Attorney in charge of the case, said that Iroquois had agreed to an unusual program of safety monitoring. The program will include frequent inspections of the pipe with an electronic robot that detects flaws.*

***But after years of assertions by critics that Iroquois had rushed in construction, leaving the pipe as a time bomb underground, the safety questions were not resolved by the court action today. Critics and contractors have said Iroquois dumped large boulders that could damage the pipe into its 375-mile long trench."***

*The proposed Constitution pipeline would transmit natural gas to the Wright Compressor Station in Schoharie county. The existing Iroquois Transmission Pipeline that goes through Westerlo, the town where I live, would then, presumably, supply shale gas products to downstate NY and other other markets.*

*The DEIS does not address the cumulative effects of the latent unresolved environmental and safety issues mentioned in the legal action.*

*Also, its history does not warrant permitting Iroquois to self-regulate.*



# INDIVIDUALS

## IND436 – Diane Sefcik (cont'd)

IND436-1  
cont'd

**2) Last year Iroquois was fined \$8700 for another violation:**

*"On May 28, 2013 the US DOT Pipeline and Hazardous Materials Safety Administration (PHMSA) **fined Iroquois Pipeline Operating Company \$8700** for violations related to failure to maintain corrosion control records and failure to install and maintain transmission markers."*

As quoted in excerpt #5 (Reliability And Safety re Pipeline Accident Data),

*"The dominant incident cause is corrosion and pipeline material, weld or equipment failure constituting 48.5 percent of all significant incidents."*

Iroquois' failure to maintain these corrosion control records suggests a lack of commitment to comply with safety regulations and undermines confidence in its existing and future facilities.

Again, its history does not warrant permitting Iroquois to self-regulate.

**3) Last year Tennessee was fined \$175,000 for failing to plant enough shrubs and trees to help repair portions of the Bearfort Mountain area in West Milford, NJ, as reported by James O'Neill, The Record:<sup>3</sup>**

*"Gas pipeline left a barren swath through parks and forests of North Jersey*

*A \$400 million gas pipeline that cuts through parks and forests in North Jersey — and which sparked lawsuits and protests — was quietly completed on schedule in November and is now in operation.*

*But the construction left a barren swath through 7.6 miles in Bergen and Passaic counties and nearly 11 miles in Sussex County, prompting worries about possible erosion and road collapses from snowmelt and spring rains.*

*We're going to have a lot of runoff with all this snow," said Carl Richko, a member of the New Jersey Highlands Council and former mayor of West Milford.*

*Diane Wexler, a Vernon resident and co-founder of the advocacy group North Jersey Pipeline Walkers, agreed. "There's always that concern about erosion because the clear-cuts are often on such steep slopes," she said. "And the replantings by the company have been nominal. Some of the new trees are 6-inch saplings. It's nothing but deer candy."*

<sup>2</sup> May 28, 2013 Letter from US DOT PHMSA to Jeffrey Bruner, President, Iroquois Pipeline Operating Company, re CPF No. 1-2012-1026

<sup>3</sup> Gas pipeline left a barren swath through parks and forests of North Jersey, by James O'Neill, March 4, 2014 (<http://www.northjersey.com/news/gas-pipeline-left-a-barren-swath-through-parks-and-forests-of-north-jersey-1.734639?page=all>)

# INDIVIDUALS

## IND436 – Diane Sefcik (cont'd)

S-1723

IND436-1  
cont'd

*The Tennessee Gas Pipeline Co.'s project, called the Northeast Upgrade, added five loops to an existing pipeline in parts of North Jersey and Pennsylvania. The 40 miles of additional pipe will allow the line to transport more natural gas from the Marcellus Shale region of Pennsylvania to the New York market.*

*The pipeline expansion drew opposition from environmental groups and local residents because it passes through Ringwood State Park and Long Pond Ironworks State Park in West Milford, as well as Ramapo Mountain Reservation in Mahwah. In addition to wide swaths of land that needed to be cleared, the project required drilling beneath the Monksville Reservoir, part of a system that provides drinking water to several million North Jersey residents.*

*Despite repeated legal filings by the Sierra Club and other environmental groups to block the project, federal regulators approved the pipeline expansion in January 2013. By the next month contractors had started to cut down trees in Ringwood State Park to allow room for pipeline construction vehicles.*

*Work proceeded throughout 2013, and by September drilling had begun beneath the reservoir. Once the drilling was completed, workers pulled the new pipe through the cut. The pipeline was completed and became operational Nov. 1 as originally scheduled, said Richard Wheatley, a spokesman for Kinder Morgan Inc., the Tennessee Gas Pipeline Co.'s parent.*

*The project involved permanently removing 16 acres of forest in the Highlands watershed, and the temporary removal of another 86 acres of forest during construction. The company is required to replace those trees by planting new vegetation to preserve habitat and reduce the possibility of erosion.*

*"Re-vegetation continues to progress adequately," the pipeline company reported in its most recent status report, filed in February with the Federal Energy Regulatory Commission.*

*But in January, a 10-by-8-foot area of fill material over the recently installed pipeline eroded in Wantage, causing a portion of Ashworth Lane to collapse near High Point State Park. The company brought in a contractor to complete emergency repairs. Permanent repairs will be made in the spring.*

*"We are continuing to monitor the recently completed Northeast Upgrade pipeline installation to correct, backfill or otherwise repair the pipeline, if erosion or other conditions are identified," Wheatley said in an email.*

*"At this time, we consider the right-of-way restoration effort successful," he said. "We have observed minimal excess erosion events. Once snows melt, we will be able to further identify any issues for repairs as appropriate."*

# INDIVIDUALS

## IND436 – Diane Sefcik (cont'd)

IND436-1  
cont'd

*Last July, a 20-foot section of road collapsed in Montague Township as a contractor was drilling beneath River Road during part of the pipeline extension project. Repairs took several weeks.*

*Last year, the state fined the pipeline company \$175,000 for failing to plant enough shrubs and trees to help repair portions of the Bearfort Mountain area in West Milford that had been clear-cut during an earlier pipeline expansion project.*

*Residents complained that a section of the clear-cut from that project, which ran up steep terrain near Lake Lookover in West Milford, contributed to serious erosion after heavy rains in 2011 and caused the lake to be unusable for much of that summer.*

*Richko, the former West Milford mayor, worries that a similar scenario could occur from the clear-cut created by the recent Northeast Upgrade project.*

*"If we get heavy spring rains, we will be in the same situation we had in the past with Lake Lookover, which turned into a mud hole for a while," he said.*

*The recent pipeline expansion also drew concern from residents and environmental groups because of the drilling under the Monksville Reservoir, a backup to the Wanaque Reservoir.*

*An environmental advocacy group in Pompton Lakes, Franciscan Response to Fracking, secured a grant to pay for water quality tests of the Monksville Reservoir last June, before the drilling began, providing a baseline to determine whether the drilling or the new pipe affects the reservoir's water quality.*

*The group has not yet raised funds to conduct follow-up water tests, said Jackie Schramm, director of social justice ministry at St. Mary's Catholic Church in Pompton Lakes, said.*

*The North Jersey District Water Supply Commission, which operates both the Monksville and Wanaque reservoirs, conducted its own routine water sampling throughout the pipeline construction and found no changes in water quality outside the normal seasonal variations, said William Maer, the commission's spokesman.*

*The commission worked with the pipeline company to move work areas to spots that did not drain directly into the reservoir, and made sure structures were in place to capture any potential leaks of petroleum products in the work areas, Maer said.*

*"We feel very comfortable with the quality of the water in the reservoir and the science we use to test it," Maer said.*

*The gas which flows through the expanded pipeline is removed from deep beneath the*

INDIVIDUALS

IND436 – Diane Sefcik (cont’d)

S-1725

IND436-1  
cont'd

*surface in Pennsylvania using a controversial process called hydraulic fracturing, or fracking. Water and chemicals are injected into the ground to break up bedrock and release the gas. Some studies indicate the chemicals can contaminate drinking water supplies.*

The topography of North Jersey is similar to that of the proposed Constitution pipeline. This article and the assessed \$175,000 fine, cast doubt on Tennessee's commitment to comply with environmental regulations and highlights problems associated with pipeline construction in greenway areas. We could expect more of the same here from cumulative impacts of Tennessee's expansion projects.

Its history does not warrant permitting Tennessee to self-regulate.

The referenced violations are only a sample of the violations assessed on these these companies and the ineffectiveness of present regulatory practices..

Iroquois' history of compliance with safety and environmental regulations and the impacts of these are not addressed in the DEIS but are relevant to a discussion of whether FERC has the resources to enforce compliance.

The same is also true for Tennessee's history of compliance.

Extrapolation of the cumulative impacts of un- or under-regulated gathering lines, loop lines, etc., that are part of the history of these companies, are not addressed in this DEIS.

No credible DEIS can ignore these issues. They are implicit in the approval of this project.

The DEIS should explicitly address all issues of past compliance, cumulative impacts, and withdraw the option for these companies to self-regulate.

Sincerely,

Dianne Sefcik

**INDIVIDUALS**  
**IND437 – Thomas M. Gorman**

This comment was submitted twice by the same individual

Thomas M. Gorman  
476 Poplar Hill Rd.  
Unadilla, NY 13849

April 4, 2014

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3rd Floor  
Watervliet, New York 12189-4000

Re: Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR

IND437-1 Constitution Pipeline Company, the oil and gas industry and its supporters argue that we must build more infrastructure, drill more wells, expand areas of drilling, eliminate regulation, cut back on environmental protections, and use eminent domain seizure of property to meet growing energy needs.

It's important that we distinguish between energy "needs" and energy "wants."

We need clean air to breathe. More than three minutes without air and we die. When we breathe contaminated air we get sick.

We need clean water to drink. More than three days without water and we die. When we drink contaminated water we get sick.

We need clean and healthy food. More than three weeks without food and we die. When we eat contaminated food we get sick.

Air, water and food are basic, fundamental needs of life.

We certainly want energy to sustain our lifestyles and the luxuries we've become accustomed to, but when our wants for ever more energy begin to threaten the things we need for basic survival we need to reassess those wants. We take for granted or dismiss the importance of these fundamentals for life at our peril.

Constitution Pipeline Company and its supporters would have us believe people are practically freezing to death for lack of more energy, and that the proposed pipeline is essential to supply gas to these people. They cry: Manufacturers and businesses are going under for want of this gas! Failure to construct this pipeline will result in a return to horse-and-buggy days, or worse, living in caves! This is public relations nonsense. This pent-up regional and domestic demand doesn't exist. Certainly there is always preference for cheaper energy--but a preference is not a need, it is a want. We can all pay less for energy by using less energy. Per capita energy consumption rates in the U.S. far exceed those of nearly every other comparable, developed country. There are huge gains to be made through efficiency and conservation, but these gains are disincentivized with added supply and capacity and cries of the end of "life as we know it" if we don't push forward with ever-increasing fossil fuel use.

IND437-1 The commentor's statements regarding energy needs and wants are noted. Section 3.1.1 of the EIS provides a discussion of energy conservation and energy efficiency.

# INDIVIDUALS

## IND437 – Thomas M. Gorman (cont'd)

S-1727

IND437-1  
cont'd

And what is the true, full cost of this added supply and capacity? The dollar amount on the energy bill doesn't tell the whole story, nor does it show the real cost of this "cheaper" energy. We will pay the full price with our health, the health and security of our communities, and with the fragmentation and degradation of the environment we rely on.

IND437-2

It is reasonable to expect and assume that the FERC takes a broad view of the energy issues facing the country and the world, and that the commission has an understanding of national and global markets and what exportation of LNG will do to domestic energy prices (and that Constitution Pipeline, as per presentations to shareholders, is specifically part of an infrastructure build-out for the exportation of fracked gas). It is also reasonable to expect that, like the U.S. military, the FERC has an understanding of the real long-term energy limits we confront. The FERC must know that, while in the short-term increasing fossil-fuel infrastructure may be to the financial benefit of the industry, ultimately it is an investment in an energy regime that is in decline and does not have a long-term future. More than one former petroleum geologist has noted that shale gas and oil is not a "revolution;" it's a retirement party.

Are we going to allow this "retirement party" to become a house-wrecking party? One last blast of unrestrained exploitation and profligate consumption, leaving the future with a toxic mess? A mess there will be neither the money nor the energy to effectively clean up?

If the FERC truly understands energy, then the commission surely understands that for the sake of security, resiliency, and future prosperity, the time to adopt a new energy regime is now. Further build-out and investment in a dirty and dying system is a losing bet in the long-term. The members of the FERC must realize that a change in the energy regime will happen; the issue is whether we cling a little longer to the old declining regime as it gets increasingly dirty, expensive and more destructive, undermining and pushing toward collapse the systems we rely on for survival and true prosperity, or whether we accept reality and the needs and limits that confront us.

We need a far-sighted vision for an energy future that is sustainable and in line with the very real natural limits of the world we live in. I urge the FERC to take a leadership position, and encourage the changes that will only become increasingly necessary to respond to our rapidly changing climate. REJECT the application for construction of the Constitution Pipeline. The Constitution Pipeline is NOT part of the energy system we need for our future and that of our children and grandchildren.

Sincerely,

Thomas Gorman

IND437-2

See the response to comments CO26-19 and IND21-7. Section 3.1.2.3 of the EIS provides a discussion of renewable energy. The commentator's request to reject the proposed projects is noted.

INDIVIDUALS  
IND438 – Daniel J. Brignoli

20140407-5113 FERC PDF (Unofficial) 4/5/2014 8:02:55 AM

Daniel J. Brignoli

2152 Rathbun Rd

Oneonta, New York 13820

April 5 2014

Kimberly D Bose, Secretary

The FERC

888 First Street NE, Room 1A

Washington D.C. 20426

US Army Corps of Engineers

New York District, CENAN-OP-R

Upstate Regulatory Field Office

1 Buffington Street Bldg 10, 3rd Floor

Watervliet, New York 12189-4000

Re: Docket Nos.CP13-499 and CP13-502: NAN-2012-00449-UBR

IND438-1

Would you like a free meal and a bright orange shirt ? All you have to do is go to four FERC DEIS meetings, make a lot of noise, be disruptive, and be disrespectful. We will even provide bus transportation to and from the sites. This is another attempt at using intimidation tactics to discourage people from voicing their opinions and beliefs concerning the proposed Constitution Pipeline. They continue to use demeaning verbiage, personal insults, and coercion dialogue, all in the endeavor to break the will of the people that are trying to protect their land. This is the Modus operandi of the Constitution Pipeline

This conduct became even more apparent as it entered the public arena of the FERC DEIS comment meetings that were being held this week. I attended the first two meetings and was appalled by the behavior of the Union members who were there to support the construction of the pipeline. They spread themselves out in small groups throughout the venues in order to create pockets of loud disruptive volume. They showed disrespect by interrupting opposing speeches with loud outbursts, snide remarks, and touting their Big Brother belligerence. Not only was this disrespectful to the opposing view, but also disrespectful to the comment procedure and how it was conducted by the FERC representatives.

The purpose of these meetings was to listen, learn and comment on the EIS findings. I found the environment of the first two meetings non productive and decided to address issues in the form of comment letters. There are too many unanswered questions in the 945 page DEIS report and too little time to address them. As I have done in the past, I respectfully ask FERC to extend the comment period to allow a more thorough evaluation of the DEIS content.

IND438-1      See the response to comment CO50-108 regarding the comment meetings. See the response to comment FA1-1 regarding an extension of the comment period.

S-1728

INDIVIDUALS

IND438 – Daniel J. Brignoli (cont’d)

20140407-5113 FERC PDF (Unofficial) 4/5/2014 8:02:55 AM

IND438-1  
cont'd

Your immediate attention to this would be greatly appreciated.

Thank you,

Daniel J. Brignoli



# INDIVIDUALS

IND439 – Robert Lidsky

Robert Lidsky, Registered Intervenor  
622 Ridge Road  
Andes NY 13731

April 5, 2014

Kimberly D. Bose, Secretary  
The FERC 888 First Street NE, Room 1A  
Washington, D.C. 20426  
Re: Docket Nos. CP13-499 and CP13-502

US Army Corps of Engineers New York  
District,  
CENAN-OP-R Upstate Regulatory Field  
Office 1  
Buffington Street, Bldg. 10, 3rd Floor  
Watervliet, New York 12189-4000  
Re: Docket Nos. NAN-2012-00449-UBR

Subject: Landowner Comments Ignored by FERC

IND439-1

I have read almost every comment sent to FERC since July 9, 2013, when I became an Intervenor. The overwhelming majority of comments are from Landowners opposed to permitting the pipeline.

In all of those Landowner comments there is one common thread... *Landowner concerns are being ignored by both Constitution (CP) & by FERC.*

I am not privy to what FERC does when it receives Landowner comments but I suspect they are given a cursory glance by a low level employee, categorized by topic, and then tossed into a dead file where they remain obscure and irrelevant to the DEIS. The reason: *FERC accepts comments because they must by law and not because they intend to act or rely to what these comments say.*

This major shortcoming fits right in with FERC & CP's use of a generic DEIS. Generic, because FERC & CP can avoid making any reasoned reply. *CP & FERC have a legal responsibility to each and every landowner.* That responsibility is intentionally avoided. Each Landowner concern is individual and requires an individual response.

*No landowner has ever had his/her concerns addressed by FERC as an individual.*

The DEIS has generic responses to landowner concerns. There is a very good reason for this since each Landowner's situation is unique and requires individual analysis to form a response. It is easy, convenient and safer to use a generic explanation. FERC doesn't have to deal with each Landowner, for it would take far too long, take more staff and delay the permitting of the pipeline. FERC's goal is to get the pipeline permitted as quickly as possible using the lame generic excuse that all concerns can be mitigated.

Landowners are not allowed to bring a class action suit in Eminent Domain Court. Each case, by law, must be treated individually. Yet CP and FERC seem delighted to toss simple generic, obfuscating answers out to all Landowners as a group without ever working with them as individuals. FERC simply states that Landowner concerns are "*less than significant*".

IND439-1

As stated in section 1.3 of the EIS, table 1.3-1 lists the environmental issues that were identified during scoping and indicates the section of the EIS in which each issue is addressed. This includes comments received at the public scoping meetings, nearly 2,130 written comments and nearly 500 motions to intervene. Table 1.3-1 also lists comments that were received after the formal scoping period closed. All substantive comments related to environmental issues received on the draft EIS, are addressed in Volume I of the final EIS. Furthermore, the FERC staff's responses to each of these letters is contained in Volume II of the EIS, including those that were received after the comment period had closed. We acknowledge that some very landowner specific issues (i.e., not general impacts) are best addressed in easement negotiations, and we have attempted to identify instances where we believe that is the case.

Our statement of "less than significant" was taken out of context. The full sentence reads "We conclude that the approval of the projects would have some adverse environmental impacts, but these impacts would be reduced to less-than-significant levels."

See the response to comment CO50-22 regarding signed easements. See the response to comment FA1-1 and FA4-3 regarding areas not surveyed. See the response to comment FA8-3 regarding eminent domain.

S-1730

INDIVIDUALS

IND439 – Robert Lidsky (cont’d)

S-1731

IND439-1  
cont'd

From the cover letter of the DEIS: "The FERC staff concludes that approval of the projects would have some adverse environmental impacts; however, these impacts would be reduced to less than significant levels with the implementation of Constitution's and Iroquois' proposed mitigation and the additional measures recommended by staff in the draft EIS."

This arrogant, simplistic, arbitrary and capricious, even absurd, statement is fatally flawed. I think it also jeopardizes the validity of the EIS, which I hope is challenged and voided in court.

If the pipeline gets permitted, CP & FERC's failure to address individual landowner concerns may also be grounds for a class action lawsuit from landowners for damages.

As of early February 2014, *seventy percent* of Landowners on the proposed pipeline route have refused to sign CP's treacherous easement agreement. Most of those Landowners have denied surveys. Without surveys FERC & CP do not have the data needed to make an evaluation or produce a valid EIS.

I'm not sure if you are violating the letter of the law but without a doubt what you are doing is brutal, subverting, and abusive of any moral standard of fairness. Cloaked in a veneer of civility, verbose text, sloppy biased research, and almost a thousand pages of obscure response, you toss away landowner concerns as irrelevant.

CP, threatens Landowners by using Eminent Domain based on a fatally flawed EIS. *That use of eminent domain is theft. Landowners are not going to accept theft.*

In truth, *you have absolutely no regard for the affected landowner*, whose life, hopes, dreams and concerns are shuttled by you to the dead letter bin.

Robert Lidsky  
Registered Intervenor with property in Davenport, NY along the proposed pipeline route.

**INDIVIDUALS**  
**IND440 – Barbara Pete**

20140407-5117 FERC PDF (Unofficial) 4/5/2014 3:12:53 PM

IND440-1

Please stop the Constitution Pipeline along the 120 miles from PA to Schoharie County, NY.

I believe this pipeline = FRACKING. As a Catskill landowner, I agree with my fellow landowners who deny permission for pipeline surveys.

Thank You for your attention to this matter.

Barbara Prete

IND440-1      The commentor’s opposition to the proposed projects is noted.

# INDIVIDUALS

## IND441 – Garrett Brignoli

20140407-5118 FERC PDF (Unofficial) 4/5/2014 6:42:57 PM

Garrett Brignoli  
2152 Rathbun Rd  
Oneonta, New York 13820

April 5, 2014

Kimberly D Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington D.C. 20426

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street Bldg 10, 3rd Floor  
Watervliet, New York 12189-4000

- IND441-1

I am currently a resident of New York City, but my home and family reside in Davenport, NY, in Delaware County. It is on these 20 acres of land that I have learned how one lives within a bucolic landscape: hot summer days meant our clothes went outside ‘on the line’, hard storms meant fallen trees of which provided the cache for winter heating, and cut grass meant nutrient rich compost for the garden. The land would give, but only as much as you respected it. My family and I have invested our heart and savings into this landscape with the understanding that its preservation was paramount to any future enjoyment on our property.
- IND441-2

The proposed Constitutional Pipeline is slated to be built directly adjacent to our property line. It is my belief that the proposed pipeline will dramatically alter our local environment, bringing with it a multitude of pernicious outcomes. These include, but are not limited to: the construction’s immediate required degradation of our property, an immediate loss of personal privacy, an exposure to numerous chemicals proven to be unhealthy and suitable for consumption, the imminent association and propositioning of hydraulic fracturing, and the sore economical fact that our land and community will be dramatically devalued within the market place.
- IND441-3
- IND441-4

Without hesitation, I admit that fully comprehending and debating the DEIS report is beyond my pay grade. That said, one particular oversight has left me with little confidence in the accuracy of the report. Section 4.1.3.5 of the DEIS states that a flash flood would be categorized as ‘an unlikely scenario’ in proposed pipeline paths. I have lived on the same property for 30 years, and experience outweighs investigation. In that time there have been numerous occurrences where our roads have completely washed away. The notion that this was a fluke or will not affect a pipe that is proposed to be only 3 feet below the ground provides obvious room for concern. For photographic evidence of this I ask that you reference comment submitter #20140324-5081.
- IND441-5

The broader oversight is the disassociation of the Constitutional Pipeline and the inherent possibility of hydraulic fracturing in NY State. A comprehensive and genuine report would hedge, not partition, this possible partnership. The process of fracking has yet to prove itself as a process that comes without local and global environment complications. It is a process with little

- IND441-1

The pipeline routes lies on a parcel adjacent to the commentor’s property, on the opposing boundary line. Therefore, no impacts would occur to the commentor’s parcel, and trees would remain between the commentor’s parcel and the pipeline route thereby preserving the commentor’s privacy.
- IND441-2

We assume the commentor is referring to chemicals used during hydraulic fracturing. See the response to comments LA1-4 and FA4-45 regarding hydraulic fracturing.
- IND441-3

See the response to comment LA5-3 regarding property values.
- IND441-4

See the response to comments CO1-5 and IND113-1 regarding flooding.
- IND441-5

See the response to comment LA1-4 and FA4-45 regarding hydraulic fracturing.

INDIVIDUALS

IND441 – Garrett Brignoli (cont’d)

20140407-5118 FERC PDF (Unofficial) 4/5/2014 6:42:57 PM

IND441-5  
cont'd

federal regulation, leaving communities beholden to the drilling company’s operational care. I do not trust they have the same level of consideration for the plot of land I call home.

IND441-6

I am not in opposition of progress, and I am firm believer that we learn by making mistakes. This conviction cannot stand without proper precaution, critical analysis, and faithful intention. As a registered intervener, I must state my opposition to the Constitutional Pipeline and urge FERC to require a more honest and inclusive analysis in the DEIS report.

Sincerely,

Garrett Brignoli

IND441-6      The commentor’s statements regarding the proposed projects are noted.

**INDIVIDUALS**  
**IND442 – Michael Stolzer**

20140407-5120 FERC PDF (Unofficial) 4/5/2014 8:33:51 PM

IND442-1

To Further substantiate my previous comment, “Gas is Not Clean!” I submit these documents for your careful consideration.

[http://www.eeb.cornell.edu/howarth/publications/Howarth\\_et\\_al\\_2012\\_National\\_Climate\\_Assessment.pdf](http://www.eeb.cornell.edu/howarth/publications/Howarth_et_al_2012_National_Climate_Assessment.pdf)

[http://www.eeb.cornell.edu/howarth/Howarthetal2012\\_Final.pdf](http://www.eeb.cornell.edu/howarth/Howarthetal2012_Final.pdf)

IND442-1      The websites provided by the commentor are noted. See the responses to comments CO26-19 and IND21-7. See the response to comment SA6-1 regarding climate change.

# INDIVIDUALS

## IND443 – I. Funk

20140407-5122 FERC PDF (Unofficial) 4/6/2014 12:12:59 PM

IND443-1 | The proposed Constitution pipeline is a travesty in a number of ways.  
First of all, it continues our (world's) dependence on limited, dirty, fossil fuels.  
IND443-2 | Secondly it will hold back the development of green alternative forms of energy which  
are so much better for the environment, and create new jobs for many.  
IND443-3 | Third it will increase the price we pay here in the US since the price for this commodity  
overseas is so much higher.  
IND443-4 | Fourth is the danger this pipeline poses to the cities and neighborhoods it passes, as it is  
such a volatile substance.  
IND443-5 | Fifth-such an easy target this will be to terrorists.  
IND443-6 | Sixth is the fact that the gas extraction process releases a huge amount of methane, a  
substance much more harmful to the atmosphere than carbon emissions- a big taboo,  
relative to climate change.  
Seventh is the ecocide and slow genocide we will all endure if natural gas fracturing is  
permitted to continue. Its chemicals irreversibly poison and pollute every living thing it  
contacts, either directly or indirectly. Serious adverse health effects are surfacing in  
every State where fracking has occurred.  
Eighth is the squandering of this planet's most valuable, irreplaceable resource- WATER.  
Fracking wrecks water permanently, and uses vast amounts of it per well drilled.  
Please take these and all the other submissions into account when making this very  
important decision that WILL affect us all, and the planet in the long run.

IND443-1 | See the responses to comments CO26-19 and IND21-7.  
IND443-2 | Section 3.1.2.3 of the EIS provides a discussion of renewable  
energy.  
IND443-3 | See the response to comment LA7-5 regarding the export of  
natural gas. See the response to comment IND205-3 regarding  
gas prices.  
IND443-4 | See the response to comment IND13-3 regarding safety.  
IND443-5 | Terrorism is discussed in section 4.12 of the EIS.  
IND443-6 | See the responses to comments LA1-4 and FA4-45 regarding  
hydraulic fracturing. See the response to comment SA6-1  
regarding climate change.

# INDIVIDUALS

## IND444 – Robert Stack

S-1737

20140407-5123 FERC PDF (Unofficial) 4/6/2014 1:03:47 PM	
Robert Stack, Davenport, NY	
Kimberly D. Bose, Secretary The Federal Energy Regulatory Commission 888 First Street NE Room 1A Washington, D.C. 20426	
US Army Corps of Engineers New York District, CENAN-OP-R Upstate Regulatory Field Office 1 Buffington Street, Bldg 10, 3 <sup>rd</sup> Floor Watervliet, New York 12189-4000	
Re: Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR	
Mrs. Bose:	
IND444-1	<p>I am an affected landowner registering my opposition to the proposed Constitution Pipeline.</p> <p>BACKGROUND</p> <p>My wife and I purchased a beautiful 97-acre property in Delaware County, NY, with the intention of building a home on it when we were ready to retire. In April, 2012, we shipped our belongings from Nevada to New York state in anticipation of my retirement in August of that year. No sooner did the moving van take our belongings away than we received a request in the mail from Constitution Pipeline (CP) requesting permission to survey our property for the pipeline route. This route goes right through the site where we had planned to build our retirement home. We spoke to a representative by phone about this, and they said the pipeline route could be moved a few feet one way or the other, but that was all they could do.</p> <p>This part of our property is the only location suitable for building a home. The remainder of the property is landlocked; a house anywhere else on it would require an easement for a driveway through surrounding properties for access to Coe Hill Road. This driveway would have to be 1,500 feet long and very steep in places, and would require constant maintenance in the winter. This is unacceptable. It is also unacceptable to construct a home within a few feet of the pipeline right-of-way.</p>
IND444-2	<p>There would be anticipated difficulties obtaining a mortgage and property insurance, and if a property cannot be mortgaged and insured, it will have lost its value.</p>
IND444-3	<p>Furthermore, we don't wish to spend our retirement years staring at a gash through the beautiful forests in this area. That gash will go through our property and entail the removal of apple trees as well as the oak, black cherry, ash, maple and evergreen trees that live on our property.</p>

IND444-1	Our assessment of this parcel can be found in section 3.4.3.2 of the EIS. Based on our analysis, we could not identify a viable route crossing for this parcel that was preferable to the proposed route.
IND444-2	See the response to comment LA5-3 regarding property values, insurance, and mortgages.
IND444-3	The commentor's statements regarding tree clearing are noted.



# INDIVIDUALS

## IND444 – Robert Stack (cont’d)

S-1738

20140407-5123 FERC PDF (Unofficial) 4/6/2014 1:03:47 PM	
IND444-4	<p>LOSS OF PRIVACY</p> <p>Not only would we be subjected to pipeline personnel entering our property any time they want, the clearing of this right of way will essentially create a 124-mile trail through the area, exposing us to trespassing by snowmobiles, all-terrain vehicles, and even hikers. We would not be able to put up barriers because the pipeline personnel will require access. So, we own the land, we pay taxes on it, but we have to surrender our autonomy to the pipeline Company so they can profit.</p> <p>With the intrusion of outsiders trespassing on our land comes liability exposure. If a hiker or snowmobiler gets injured on our property, even while trespassing, we will face the liability.</p> <p>EXTERNALITIES</p>
IND444-5	<p>Then there are the costs attributable to the Constitution Pipeline project for which Cabot Williams will not be held responsible. Some of these are:</p> <ul style="list-style-type: none"><li>• Reductions in assessed value of property</li><li>• Loss of property tax revenues due to reduced assessments</li><li>• Increased cost of road maintenance and repair due to heavy truck traffic</li><li>• Washouts of excavated ground in heavy rain</li></ul> <p>In the DEIS, staff just waves their hands and says these are issues to be resolved through negotiations between the Company and the landowner. There is no mechanism to force Cabot Williams to make the afflicted landowner or community whole. The very nature of negotiating implies both parties give up something to gain something. In this case the landowner gives up autonomy while the Company gains. This is not the basis for good-faith negotiating; all the power, influence, money and regulatory advantage is on the side of CP.</p> <p>The DEIS does not address the impact of fracking infrastructure that is surely going to come in the wake of the pipeline.</p>
IND444-6	<p>ECONOMIC BENEFITS TO THE AREA</p> <p>The DEIS goes to great lengths to extol the jobs and increased payroll will bring to the area. This is true, but only for a short period of time while the pipeline is being built. CP has no intention of hiring many local workers; they will bring in their own experienced workers and award only lesser-skilled jobs to local workers. Even at that, the increased area employment will last for just a few months.</p> <p>Supporters of the pipeline cite the economic benefits that will supposedly result from the availability of “cheap” natural gas in the area. There may be a few winners,</p>

IND444-4	See response to comment IND9-5 regarding unauthorized access of properties from the right-of-way.
IND444-5	See the response to comment LA5-3 regarding property values. See the response to comment LA1-1 regarding property taxes. See the response to comment LA1-1 regarding road repairs. See the response to comments CO1-4 and IND169-1 regarding erosion. See the responses to comments LA1-4 and FA4-45 regarding hydraulic fracturing.
IND444-6	See the response to comment CO50-55 regarding benefits of the projects. See the response to comment IND30-1 regarding Leatherstocking. See the response to comment LA7-5 regarding export of natural gas.

# INDIVIDUALS

## IND444 – Robert Stack (cont’d)

S-1739

20140407-5123 FERC PDF (Unofficial) 4/6/2014 1:03:47 PM	
IND444-6 cont'd	<p>but in most cases the benefits will be a mirage. Homeowners and businesses that are not already equipped to use natural gas will have to replace their heating equipment. In addition, these people and businesses will have to shoulder the expense of running gas lines and laterals down their streets. When these costs are added to those of the “cheap” natural gas commodity, it won’t seem so cheap anymore.</p> <p>Even if increased natural gas were made available to the region, it will be to the benefit of the towns only. The property owners and farmers in the rural areas who will bear the burden of the taking of their property will not likely have gas service made available to them. In areas where there are perhaps 5-10 homes per mile, it will not be economically feasible to spread the costs of gas delivery among so few customers.</p> <p>In any event, this project was never conceived with the wellbeing of New York residents in mind. It is all about profits from shipping the current glut of natural gas to foreign markets at higher prices than what can be obtained in the United States. CP regards the taking of property as its God-given right, a taking that is not for the benefit of people of New York State, but for the benefit of foreign markets and CP’s investors.</p>
IND444-7	<p>MITIGATION</p> <p>CP is allowed to provide mitigation that is far removed from the damage that is to be mitigated. That is like breaking my neighbor’s window, but instead of fixing it I fix somebody else’s window. Everybody wins except for the neighbor with the broken window.</p>
IND444-8	<p>RESPONSIBILITY</p> <p>Is the operation of the pipeline going to be monitored to make sure they are doing what they agreed to do? Suppose CP does not live up to its obligations? Do FERC and the state agencies have the authority to take action against CP? Do they have the will to go against CP? Will there be a mechanism in place for a landowner to seek extraordinary damages due to the presence of the pipeline? Will CP make good on damage done to water wells? Will they commit to delivering water to landowners whose wells are damaged for as long as it takes? And finally, what guarantee is there that the Cabot Williams Company will be around to meet their obligations? Will a performance bond be required from CP, or can they get out from under their obligations by dissolving the Company and re-incorporating under a different name?</p> <p>Remember, Constitution Pipeline holds all the cards. They have money, influence, and the attention of a federal agency that rarely turns down a project. Private landowners don’t have the resources to fight a well-funded corporation.</p>

IND444-7      The commentor’s statement regarding mitigation is noted. .

IND444-8      See the response to comment FA4-12 regarding our third-party monitoring program that would be used during construction. See the response to comment SA4-10 regarding water wells.

INDIVIDUALS

IND444 – Robert Stack (cont’d)

20140407-5123 FERC PDF (Unofficial) 4/6/2014 1:03:47 PM	
IND444-9	<div>CONCLUSION</div> <div>The Constitution Pipeline project should be rejected on the grounds that it will NOT be used to serve markets in New York City and Boston. It will not confer any benefits to the people who are most impacted by the project, that is, the landowners. This project is not needed and not wanted.</div>

IND444-9      The commentor’s request to deny the proposed projects is noted.

**INDIVIDUALS**  
**IND445 – Mark Pezzati**

Mark Pezzati  
56 Mayer Road  
Andes, NY 13731

4.06.14

Kimberly D. Bose, Secretary  
The Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, D.C. 20426

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3rd Floor  
Watervliet, New York 12189-4000

Re: Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR

IND  
445-  
1

I'm writing to point out glaring flaws in FERC's Draft Environmental Impact Statement (DEIS) for the "Constitution" pipeline project. These flaws concern the tourism and outdoor recreation economies of the region which this pipeline project would impact.

Potential negative impacts on the tourism industry are only discussed briefly on **less than one page** in the DEIS and dismissed by simply stating that demand for temporary housing in the project area will not negatively impact the tourism industry. This single page in section 4-137 concludes that, "Therefore, impacts on tourism due to the construction of Constitution's project are expected to be minimal."

This is not a thorough socioeconomic study of the impact the pipeline would have on the tourism and outdoor recreation economies of this region. In fact, this is less than cursory. By limiting the study of tourism to merely the impact the pipeline would have on temporary housing demonstrates a lack of seriousness in the DEIS for an industry which is one of the most important economic drivers of this region of NY State. It is crucial that FERC revise this DEIS by carefully evaluating the tourism and outdoor recreation economies for negative impacts the pipeline project would create.

An example of a study with a breadth and scope which FERC should aspire to is an economic impact study titled, "Economic Valuation Study for Public Lands in the Central Catskills" prepared by Brian Zweig of Business Opportunities Management Consulting in January of 2013.<sup>1</sup> This study found that recreational opportunities on the Catskills' publicly owned state and New York City lands plus private lands open to the public, draw over 1.7 million visitors annually. Those opportunities create an economic impact of \$46,207,000 and support 980 jobs. Factoring in those who come to enjoy other privately held lands, the study found that the total number of people choosing the Catskills for recreation each year is almost 2.5 million, creating an economic impact of \$114,768,000 and supporting 2,413 jobs. Pause for a moment and reflect on those numbers: **115 million dollars and 2,413 jobs**. The study goes on to speak about the natural beauty of this region which both tourism and outdoor recreation depend upon as being a "unique, world-class asset." One of the study's conclusions is that: Forces in the economy of the region must not threaten the existing and crucial environmental conditions which draw people to the area. The probability of the "Constitution" pipeline being precisely the force which would threaten that \$115,000,000 economy is highly likely and therefore must be studied and incorporated into the EIS.

IND445-1

The 50-foot-wide operational easement, MLVs, communication towers, and modifications to an existing compressor station would be the only aboveground visual references to the projects. Existing pipelines in the area (such as Millennium) have not resulted in an impact on tourism. In addition, given the distance (nearly 20 miles) between the proposed pipeline and Cooperstown, impacts are unlikely. See the responses to comments LA1-4 and FA4-45 regarding hydraulic fracturing.

S-1741

# INDIVIDUALS

## IND445 – Mark Pezzati (cont'd)

IND 445-1 cont'd As currently written, the DEIS seems oblivious to the fact that the Catskill Mountains and the greater Cooperstown area are two (of many), of New York State's most important tourist regions. Both regions are less than 20 miles from the proposed pipeline route and the impact the pipeline would have on each must be fully studied.

On the web site of the Otsego County Economic Development Department it states that, "If you love baseball, you'll love Cooperstown and the National Baseball Hall of Fame. If you love culture, history, and the outdoors, you'll love Otsego County. Discover a place where heritage and natural beauty come together in the rolling foothills of the northern Catskills..."<sup>2</sup> Note that the web site does not say, "Come and visit an area that's become a resource extraction sacrifice zone, supplying urban and foreign markets." This is because the region's primary industry depends on a pristine environment to attract visitors. The Otsego County Economic Development Department cited earlier goes on to say, "Tourism is arguably Otsego County's largest industry. Approximately 500,000 people visit Otsego County each year, spending \$134 million."

Reinforcing that idea is a resolution adopted by the Village of Cooperstown on September 25th, 2013 which reads in part, "...the Village of Cooperstown is a major tourist destination and has hundreds of millions of dollars of long term investment at risk of collapse if hydrofracking comes to New York State. The economic devastation to our historic Village and our world class tourist attractions would be incalculable."<sup>3</sup>

Again, the areas mentioned above are only two examples of a great number of important economic areas which the proposed pipeline project would negatively impact. The point here is that the economic health of the greater area is not so strong that it can withstand the tarnishing of its reputation as a pristine destination for those who seek this type of environment in which to enjoy the outdoors. Many area residents believe that this frack-gas pipeline and the fracking infrastructure that will follow, as surely as night follows day, will make people who live outside the region look elsewhere for tourism choices. Compressor stations and metering valves emitting toxic volatile organic compounds, including benzene among other harmful emissions, would soon force tourists to think twice before choosing the area. Herbicides used to kill vegetation along miles of clear cut forest will be another reason tourists would likely avoid the area. If built, outdoor lovers will quickly come to realize that the pipeline (which cut a swath through 36 miles of interior forests, plowed through 277 bodies of water and 10.7 miles of wetlands, and tore apart 1,862 acres) has dramatically changed the area they once found so pristine. These outdoor lovers will think twice before visiting again, or not even bother to give it a second thought, and simply look elsewhere. As just one easily verifiable example of this, in a letter to FERC (20140327-5152, FERC PDF), dated 3/27/2014, Lisa Lerner of Brooklyn, NY commented that, "We go to the Catskills every summer for two months and will NOT return if the area is full of trucks and fracking/pipeline equipment."

Second home ownership is another aspect of tourism and one which is important in the area of the proposed pipeline route. In depth research is required to quantify and better understand how the participation of these second home owners in outdoor recreation activities and the tourism economy would be negatively impacted.

Beyond the pipeline specific points mentioned above, another aspect which FERC's final EIS must address is a study of the "reasonably foreseeable" cumulative impacts a full build-out fracking and industrial development would have on the tourism industry within 20 miles on either side of the pipeline route. Reason being is that Patricia J. Denoyers of the NYS DEC, on 7/17/13 in a motion to intervene commented that,

"[T]he Applicant must evaluate whether the Project would be reasonably available for supply and distribution for communities along the Project route and whether the Project could reasonably serve as a collector line for additional supply from New York Marcellus and Utica Shale formations. Since the location of the proposed Project route has a high potential for development of natural gas extraction from Marcellus and Utica Shale formations, as indicated in the revised NYSDEC draft Supplemental Generic Environmental Impact Statement on the Oil, Gas and Solution Mining Regulatory Program, September 7, 2011, **the draft EIS must evaluate the cumulative environmental impacts associated with these potential activities.**"

# INDIVIDUALS

## IND445 – Mark Pezzati (cont'd)

IND 445-1 cont'd | An honest study conducted by FERC would likely conclude that the tourism and outdoor recreation economies which the region depends on are simply incompatible with frack-gas pipelines and shale gas development. This same conclusion was drawn by Cornell University's, Andrew Rumbach in, "Natural Gas Drilling in the Marcellus Shale: Potential Impacts on the Tourism Economy of the Southern Tier." In the study, published in April of 2011, Mr. Rumbach found that, "All told, the region's ability to attract tourists could be damaged in the long-term if the perception of the region as an industrial landscape outlasts the employment and monetary benefits of gas drilling."<sup>4</sup> The study also speaks to the, "...serious economic consequences for adjacent industries like agriculture and tourism because of the widespread industrial activity..."<sup>5</sup>

For all the reasons stated above, the DEIS is obviously incomplete and unsupported by evidence that adequately considers the direct, indirect, residual adverse, and cumulative impacts the project would have on the tourism and outdoor recreation economies of the region. It is reasonable to conclude that these significant and negative long term economic impacts can not be mitigated. Furthermore FERC has failed to show how the negative economic impacts to the region outweigh the need for the project. If FERC feels it has evidence to the contrary it needs to produce that evidence in the form of detailed studies as noted above. Not the severely limited and less than cursory mention in the current DEIS. Failing to do so, the project must not be permitted.

Sincerely,

Mark Pezzati  
Andes, NY

<sup>1</sup> *Economic Valuation Study for Public Lands in the Central Catskills: Economic Impact and Opportunities from Outdoor Recreational Activities*, Brian Zweig, MBA, Business Opportunities Management Consulting; December 2012, kathy@catskillmountainkeeper.org, jmogether@catskillcenter.org, skent@kentcom.com

<sup>2</sup> Otsego County Economic Development Department: Tourism. [http://www.otsegoeconomicdevelopment.com/community\\_profile/tourism\\_recreation.html](http://www.otsegoeconomicdevelopment.com/community_profile/tourism_recreation.html)

<sup>3</sup> *Village Of Cooperstown, NY, Resolution No.7 of 2013*. [http://documents.foodandwaterwatch.org/doc/Frack\\_Actions\\_CooperstownNY.pdf](http://documents.foodandwaterwatch.org/doc/Frack_Actions_CooperstownNY.pdf)

<sup>4</sup> *Natural Gas Drilling in the Marcellus Shale: Potential Impacts on the Tourism Economy of the Southern Tier*, Andrew Rumbach; April 2011. [http://www.steplanning.org/usr/Program\\_Areas/Energy/Naturalgas\\_Resources/STC\\_RumbachMarcellusTourismFinal.pdf](http://www.steplanning.org/usr/Program_Areas/Energy/Naturalgas_Resources/STC_RumbachMarcellusTourismFinal.pdf)

<sup>5</sup> *The Economic Consequences of Marcellus Shale Gas Extraction: Key Issues*, Community & Regional Development Institute, Department of Development Sociology Cornell University, CARDI Reports, Issue Number 14, September 2011, Page 8. <http://www.greenchoices.cornell.edu/development/shale/articles.cfm>

S-1743

# INDIVIDUALS

## IND446 – Wayne Stinson

S-1744

20140407-5125 FERC PDF (Unofficial) 4/6/2014 1:42:21 PM

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3rd Floor  
Watervliet, New York 12189-4000

Re: Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR

Secretary Bose,

IND446-1

I initially searched several pages for items related to a particular impact which concerns me. All told I read less than 10 pages in my inquiry.

The following phrasing, and other similar paragraphs in tone and content, were found in multiple locations in the several pages I inspected. They are found in the introduction, the Executive Summary, in Water Use and Quality p4-42, Conclusion p4-43, and 5-3 conclusions.

*"Construction activities would not significantly impact groundwater resources because the majority of construction would involve shallow, temporary, and localized excavation...." and*

*"... Any impacts would be temporary and would not significantly affect groundwater..." and*

*"No long-term impacts on groundwater are anticipated from construction or operation of the projects because disturbances would be temporary..." and*

*"...would limit impacts from construction on groundwater resources. Temporary, minor, and localized impacts..." and*

*"We do not anticipate any significant impacts on aquifers by the proposed projects given their depth and the relatively shallow nature of construction..." and*

*"...not likely to significantly impact groundwater resources because the*

IND446-1

See the response to comment SA6-1 regarding climate change. The commentor's request to deny the proposed projects is noted. Section 3.1.2.3 of the EIS provides a discussion of renewable energy.

# INDIVIDUALS

## IND446 – Wayne Stinson (cont'd)

20140407-5125 FERC PDF (Unofficial) 4/6/2014 1:42:21 PM

IND446-1  
cont'd

*majority of construction would involve shallow, temporary, and localized excavation...."*

Such a number of this type of statement, especially if found within only the few pages I inspected, causes an observer to question the integrity of the EIS. It seems that the FERC is telling citizens "Move along. Nothing to see here. Not to worry,"

But, I do worry. I have children and grandchildren who will have to make their way on this planet suffering the effects of climate change.

Last month the United Nations Intergovernmental Panel on Climate Change (IPCC) released their report Climate Change 2013: The Physical Science Basis which confirms that we are looking at significant environmental impacts due to higher levels of greenhouse gases in the atmosphere. They state in the Summary for Policymakers, B5 Carbon and Other Biogeochemical Cycles (p11) :

"The atmospheric concentrations of carbon dioxide, methane, and nitrous oxide have increased to levels unprecedented in at least 8000,000 years. Carbon dioxide concentrations have increased by 40% since pre-industrial times, primarily from fossil fuel emissions and secondarily from net land use change emissions. The ocean has absorbed about 30% of the emitted anthropogenic carbon dioxide, causing ocean acidification (see Figure SPM.4). {2.2, 3.8, 5.2, 6.2, 6.3}"

Yes, policy makers take heed. It is time we acknowledge and respond to certain indisputable facts. The extreme climate disturbances we are experiencing result from our more than two centuries of fossil fuel exploitation and dependence. Climate experts warn that atmospheric greenhouse gases already exceed safe levels and that we must act with urgency to both reduce carbon emissions, and develop alternative renewable sources of energy if the human race is to avoid extinction. (see The Sixth Extinction by Elizabeth Kolbert)

Instead of heeding such sage advice, our government, its representative agencies and the corporations they represent, seem intent on pressing forward for ever more exploitation of fossil fuel resources. The Constitution Pipeline proposal is the immediate example of such folly.

I urge the FERC to act responsibly by rejecting the Constitution Pipeline proposal. Additionally, I implore the commission to go back to the White House and suggest to the administration that they should require such a billion dollar investment, as proposed by Constitution, be applied instead to development of alternative renewable sources of energy and conservation.

S-1745



INDIVIDUALS

IND446 – Wayne Stinson (cont’d)

20140407-5125 FERC PDF (Unofficial) 4/6/2014 1:42:21 PM	
IND446-1 cont'd	Please, for my grandchildren.  Wayne Stinson Summit, NY

# INDIVIDUALS

## IND447 – Allegra Schecter

Allegra Schecter  
211 Adair Rd  
Cherry Valley, NY 13320

April 6, 2014

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426  
Re: Docket Nos. CP13-499 and CP13-502

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3rd Floor  
Watervliet, New York 12189-4000  
Re: NAN-2012-00449-UBR

Dear Secretary Bose and Army Corps of Engineers:

IND447-1

Please take this information into consideration when analyzing the fracking build-out connected to the Constitution Pipeline for the EIS, and what it will mean to New York. Thank you.

<http://www.ewg.org/report/federal-scientists-warn-ny-fracking-risks>

Federal Scientists Warn NY of Fracking Risks

Published February 29, 2012  
Federal Scientists Warn NY of Fracking Risks  
Wednesday, February 22, 2012  
By Dusty Horwitt, Senior Counsel

The U.S. Geological Survey has warned New York state regulators that their plan to allow drilling and hydraulic fracturing for natural gas in the Marcellus Shale could endanger private water wells, municipal aquifers and New York City's drinking water supply.

The assessment of the USGS, widely regarded as impartial and authoritative on drilling issues, intensifies pressure on Gov. Andrew Cuomo not to proceed with a drilling plan drafted by the New York State Department of Environmental Conservation. Cuomo has pledged to "let the science and the facts make the determination, not emotion and not politics."

The U.S. Environmental Protection Agency has separately written New York regulators arguing that they are ill-equipped to regulate a boom in shale gas drilling and have limited financial means to enforce the numerous new regulations they have proposed. The EPA has raised additional concerns, among them, that the state has understated the severity of radioactive pollution associated with drilling and doesn't know how such contaminants

IND447-1

See the response to comments LA1-4 and FA4-45 regarding hydraulic fracturing.

INDIVIDUALS

IND447 – Allegra Schecter (cont’d)

S-1748

IND447-1  
cont'd

would be disposed of.

Officials at the Department of Environmental Conservation are now considering whether to modify their plan to address the federal agencies’ reservations and about 60,000 letters from local governments, independent scientists, gas drillers, property owners, environmental groups and other interested citizens. Once the state agency has concluded its review, which could wind up as soon as this spring, the issue goes to Cuomo’s desk.

The stakes for New York taxpayers are enormous. The Department of Environmental Conservation has estimated that if New York City’s drinking water supply is contaminated by drilling, cleaning up the water would require a water filtration plant costing at least \$8 billion, with a yearly operating expense of \$200 million.<sup>2</sup> Even then, city officials have said there is no guarantee that the water could be purified. If water supplies of other population centers are tainted, the cleanup costs would soar higher.

As now written, the state plan projects that tens of thousands of natural gas wells could spring up along the New York portion of the Marcellus Shale, a vast underground formation that stretches along the Appalachian chain as far south as Kentucky. Most of the wells are likely to deploy a relatively new shale-drilling process called high volume hydraulic fracturing and horizontal drilling, which typically involves injecting millions of gallons of water laced with chemicals into the ground under high pressure, aiming to crack shale rock and release natural gas trapped in small pockets.

The USGS, the federal government’s expert on the geology and hydrology of oil and gas drilling, advised New York regulators that their plan is flawed in several respects. Among them:

The state’s proposal to prohibit drilling inside a 500-foot buffer around aquifers that supply major municipal water systems “is one-size-fits-all and may provide only partial protection to these aquifers.”<sup>3</sup>

A similar 500-foot buffer for private water wells and springs “affords limited protection” and “does not take local geohydrologic conditions and topographic setting into account.” The USGS added that “changes brought about by drilling, including water quality changes, can be felt rapidly at significant distance from a disturbance – especially if a domestic well is [downhill] of a well pad.”<sup>4</sup>

Pressurized fracturing fluids could migrate through underground faults and impact an underground aqueduct that carries drinking water to New York City. The USGS said that “the possibility of damage to the aqueduct from hydraulic-fracturing operations is an issue of concern” and deserves more

INDIVIDUALS

IND447 – Allegra Schecter (cont’d)

S-1749

IND447-1  
cont'd

study.<sup>5</sup>

A map displayed in the state’s draft plan “grossly under-represents the number and extent of [natural] faults in the Appalachian Basin of New York” where shale gas drilling would occur. Ground that is riddled with underground faults could channel pollution from drilling into underground aquifers.<sup>6</sup>

“Only scattered and incomplete information is available” on underground freshwater sources that could be polluted by shale gas drilling. The USGS said the state plan should require drilling companies to maintain detailed logs that would identify and protect these aquifers.<sup>7</sup>

Drilling too close to water sources

The USGS went to some lengths to dispute the state agency’s premise that drilling could be safely conducted 500 feet from water supplies. The federal agency said that in some cases, it might be necessary to prohibit drilling within five square miles of aquifers to avoid polluting them.<sup>8</sup>

The USGS position is bolstered by documented cases in Colorado, Ohio and Pennsylvania, where natural gas and related contaminants have polluted underground water supplies at distances much greater than 500 feet.

In 2004, Canada-based Encana Corp. improperly cemented and hydraulically fractured a well in Garfield County, Colo. The state found that the poor cementing caused natural gas and associated contaminants to travel underground more than 4,000 feet laterally. As a result, a creek became contaminated with dangerous levels of carcinogenic benzene. The state of Colorado fined Encana a then-record \$371,200. Despite more than seven years of cleanup efforts, as of last September, three groundwater monitoring wells near the creek still showed unsafe levels of benzene.<sup>9</sup>

In 2007, a natural gas well fractured by Ohio Valley Energy Systems Corp. in Bainbridge, Ohio, caused natural gas to contaminate 23 nearby water wells, two of which were more than 2,300 feet from the drilling site.<sup>10</sup>

In 2009, several natural gas wells drilled by Houston-based Cabot Oil and Gas Corp. in Dimock, Penn., polluted water wells used by at least 19 families, according to the state Department of Environmental Protection. Cabot has disputed the finding. At least three of the water wells were farther than 1,000 feet from the gas wells. For about two years, the Pennsylvania DEP ordered the company to deliver water to the families. Last December, Cabot stopped the deliveries after the DEP ruled that the company had met its obligations under a state order. Affected families were forced

INDIVIDUALS

IND447 – Allegra Schecter (cont’d)

S-1750

IND447-1 cont'd	<p>to scramble for new sources of water. Filmmaker Josh Fox, actor Marc Ruffalo and others donated bottled water that met some of the families’ needs. The federal EPA recently found dangerous contaminants in well water in Dimock and ordered a resumption of water deliveries for four of the families. Pennsylvania officials have declined to extend public water lines to the affected families, estimating the cost at \$12 million.<sup>11</sup></p> <p>New York City water aqueduct threatened</p> <p>The USGS concluded that under the state plan, hydraulic fracturing fluids could reach and damage New York City’s West Delaware Aqueduct, an underground tunnel that brings drinking water to the city from reservoirs in the Catskill Mountains. Naturally occurring fractures “may potentially provide pathways for the migration of pressurized fluids over significant distances,” the USGS wrote. It suggested that the state’s proposal to require site-specific permits in a 1,000-foot zone around the aqueduct might prove inadequate.<sup>12</sup> The USGS focused only on threats to the West Delaware Aqueduct, one of several underground aqueducts that carry water to New York City from the Marcellus Shale region.</p> <p>An earlier assessment commissioned by New York City’s Department of Environmental Protection also concluded that drilling might endanger the West Delaware Aqueduct and other tunnels that carry the city’s water, for reasons similar to those cited by the USGS. The city’s DEP found that naturally occurring underground pathways near the tunnels “can extend up to seven miles laterally and up to 6,000 feet in depth.” It added:</p> <p>“The vertical and lateral persistence of these features in conjunction with the potential for failed casings or other unforeseen occurrences could result in significant surface and subsurface contamination of fresh water aquifers, as illustrated by incidents in other well fields, most notably documented in Garfield County, Colorado (migration of toxic formation material through subsurface fractures) and Dimock, Pennsylvania (migration of natural gas to the surface via improperly cased wells). Similar mechanisms could permit migration of material into the fresh water aquifers that comprise the NYC West-of-Hudson watersheds and present potential risks to water quality and tunnel lining integrity.”<sup>13</sup></p> <p>Based on this assessment, the city agency recommended several preventive measures, including barring drilling within seven miles of several aqueducts and a drilling ban within two miles of other water tunnels.<sup>14</sup> Underground faults, water supplies unmapped</p> <p>The USGS raised serious questions about the state’s significant undercount of natural faults throughout the gas-rich Marcellus Shale formation. If</p>
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INDIVIDUALS

IND447 – Allegra Schecter (cont’d)

S-1751

IND447-1 cont'd	<p>drilling and hydraulic fracturing were permitted directly underneath faults, the federal agency said, contaminants could flow upward into underground aquifers. It noted that there are generally far more natural faults in bedrock overlying the Marcellus Shale than elsewhere.<sup>15</sup></p> <p>In a study that focused on the Marcellus Shale in New York and Pennsylvania and was published last year by the National Academy of Sciences, researchers from Duke University reported finding levels of natural gas an average of 17 times higher in water wells close to active natural gas wells than in water wells in non-active drilling areas. The most likely cause, they said, was leaky well casings, but they also raised the possibility that some gas migrated through “extensive fracture systems” in rock above the shale formations. Another factor, they said, might be gas migration through many older, un-cased wells abandoned during 150 years of drilling in Pennsylvania and New York.<sup>16</sup></p> <p>USGS urges better reporting</p> <p>The USGS said that the depths of underground drinking water sources are not well documented and must be established so that drilling companies can design casing and cementing to prevent migration of gas or saltwater into underground drinking water supplies. The agency faulted New York state regulators for failing to require drilling companies to map underground fresh water and salt water sources and, as well, shallow gas formations before they drill extensively. It called these determinations critical to the design and installation of effective casing and cementing.<sup>17</sup></p> <p>Cuomo should emulate Maryland’s O’Malley</p> <p>The USGS assessment makes clear that New York is not ready for shale gas drilling on any level. Given Cuomo’s commitment to science, it is hard to see how he could come to a different conclusion. Cuomo should halt the state’s drilling plan and let scientists like those at USGS continue their work so that New Yorkers can know whether high volume hydraulic fracturing and horizontal drilling can be conducted safely before drilling begins.</p> <p>That’s essentially the approach Maryland Gov. Martin O’Malley has taken. His administration has embarked on a detailed study of potential drilling impacts, to be finished by 2014. Until then, O’Malley has committed not to allow gas drilling companies to deploy this controversial technique in Maryland’s portion of the Marcellus Shale.<sup>18</sup></p> <p>Meanwhile, the EPA is conducting a nationwide study on hydraulic fracturing’s impact on water and a separate inquiry in Pavillion, Wyo., where the agency concluded in a draft report that hydraulic fracturing likely contaminated groundwater on which the community relies for its drinking water and agricultural needs.</p>
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# INDIVIDUALS

## IND447 – Allegra Schecter (cont'd)

IND447-1  
cont'd

By proceeding with drilling in the face of warnings by USGS, the EPA and other experts, “Cuomo would be betting nothing of significance will go wrong,” Albany Times-Union columnist Fred LeBrun wrote in a Jan. 15, 2012, column. “Given the enormity of the possibilities, that’s a dumb bet.”<sup>19</sup>

Will Cuomo make a multi-billion-dollar gamble with the state’s drinking water and the health of New Yorkers? The up side, in the form of jobs and revenues from gas production, is modest. The down side, if anything goes wrong, is incalculable. Why chance it?

1. Thomas Kaplan, Millions Spent in Albany Fight to Drill for Gas, New York Times, Nov. 26, 2011.

2. See NYDEC SGEIS, supra note 9, at 6-47.

3. U.S. Geological Survey, New York Water Science Center, Comments on the Revised Draft Supplemental Generic Environmental Impact Statement 6 (2012).

4. See id., at 7.

5. See id., at 20.

6. See id., at 10.

7. See id., at 1.

8. USGS, supra note 3, at 6-7.

9. URS Corp., Phase I Hydrogeologic Characterization of the Mamm Creek field Area in Garfield County (2006), <http://cogcc.state.co.us/> (follow links for “Library” and then “Piceance Basin”) (prepared for Bd. of County Comm’rs, Garfield County, Colo.); Colo. Oil & Gas Conservation Comm’n, Order No. 1V-276 (Sept. 16, 2004), <http://cogcc.state.co.us/> (follow link for “Orders”).

10. Ohio Dep’t of Natural Res., Report on the Investigation of the Natural Gas Invasion of Aquifers in Bainbridge Township of Geauga County, Ohio 6, 46-7 (2008); Bair, E. Scott, et al., Expert Panel Technical Report, Subsurface Gas Invasion Bainbridge Township, Geauga County, Ohio 3-113 (2010), <http://www.ohiodnr.com/mineral/bainbridge/tabid/20484/default.aspx> (submitted to Ohio Dep’t of Natural Res., Div. of Mineral Res. Mgmt.); Ohio Dep’t of Natural Res., Order Number 2009-17 (Apr. 14, 2009) (see attachments A, B).

11. Consent Order & Settlement Agreement in re Cabot Oil & Gas Corp. (Dep’t Env’tl. Prot. Dec. 15, 2010); Consent Order & Settlement Agreement in re

# INDIVIDUALS

## IND447 – Allegra Schecter (cont'd)

S-1753

IND447-1  
cont'd

Cabot Oil & Gas Corp. (Dep't Env'tl. Prot. Nov. 4, 2009); Laura Legere, DEP Drops Dimock Waterline Plans; Cabot Agrees to Pay \$4.1M to Residents, Scranton Times-Tribune, Dec. 16, 2010, <http://thetimes-tribune.com/news/gas-drilling/dep-drops-dimock-waterline-plans-cabot-agrees-to-pay-4-1m-to-residents-1.1077910>. Laura Legere, Outside Groups Deliver Water as Sides Spar over Drilling, Scranton Times-Tribune, December 7, 2011.

12. See USGS, supra note 3, at 19-20. N.Y. City Dep't of Env'tl. Prot., Final Impact Assessment Report, Impact Assessment of Natural Gas Production in the New York City Water Supply Watershed 39-40 (2009) [hereinafter NYCDEP]. N.Y. State Dep't. Env'tl. Conservation, Supplemental Generic Env'tl. Impact Statement on the Oil, Gas and Solution Mining Regulatory Program, Well Permit Issuance for Horizontal Drilling and High-Volume Hydraulic fracturing to Develop the Marcellus Shale and other Low-Permeability Gas Reservoirs ES-6 (2011) [hereinafter NYDEC SGEIS].

13. NYCDEP, supra note 9, at 39-40 (2009).

14. See id., at D-3. Paul Rush, Dep. Commissioner, Bureau of Water Supply, N.Y. City Dep't of Env'tl. Prot., Before the New York City Council, Committee on Env'tl. Prot., Sep. 22, 2011. N.Y. City Dep't of Env'tl. Prot., Comments on the Revised Draft Supplemental Generic Environmental Impact Statement on the Oil, Gas and Solution Mining Regulatory Program 2 (2012).

15. See USGS, supra note 3, at 9.

16. Stephen G. Osborn, et al., Methane Contamination of Drinking Water Accompanying Gas-Well Drilling and Hydraulic Fracturing, 108 PNAS 8172-76, 8175 (2011), <http://www.pnas.org/content/108/20/8172>.

17. USGS, supra note 3, at 1.

18. Martin O'Malley, Governor of Maryland, Executive Order 01.01.2011.11, The Marcellus Shale Safe Drilling Initiative, June 6, 2011. Accessed online February 20, 2012 at <http://www.governor.maryland.gov/executiveorders/01.01.2011.11.pdf>.

19. Fred LeBrun. The Keys to the Kingdom, Albany Times-Union, Jan. 15, 2012, at D1.  
Source URL:  
<http://www.ewg.org/report/federal-scientists-warn-ny-fracking-risks>  
1

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**INDIVIDUALS**

**IND447 – Allegra Schecter (cont’d)**

IND447-1  
cont'd

To unsubscribe from the ATL-GAS-DRILLING-TF list, send any message to:  
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Check out our Listserv Lists support site for more information:  
<http://www.sierraclub.org/lists/faq.asp>

# INDIVIDUALS

IND448 – Allegra Schecter

Allegra Schecter  
211 Adair Rd  
Cherry Valley, NY 13320

April 6, 2014

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426  
Re: Docket Nos. CP13-499 and CP13-502

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3rd Floor  
Watervliet, New York 12189-4000  
Re: NAN-2012-00449-UBR

Dear Secretary Bose and Army Corps of Engineers;

IND448  
-1 Please take this information on radioactive materials into consideration when analyzing the need for the Constitution Pipeline, that will be taking gas from so close to the fracking fields in Susquehanna, PA and delivering it to NY and Boston (or so they say).

Radioactive materials in shale become highly concentrated during the gas extraction process. Radon has to be removed from the raw gas - or it can end up in the propane extracted from the gas. When it is vented, it is heavier than air, it sinks and settles around the gas processing plants - and follows gullies down from the plant. Radium comes back from the frack flowback in solution with the water - meaning it cannot be removed by simple filtration. If it is removed by processing, the remaining sludge is highly radioactive - and difficult to dispose of safely.

<http://www.oneidacountycourier.com/2011/10/08/natural-gas-from-hydrofracking-in-marcellus-shale-may-result-in-high-levels-of-radon-gas-and-lead-in-homes/>

## Natural Gas from Hydrofracking in Marcellus Shale May result in High levels of Radon Gas and Lead in Homes

*Submitted by Hydro Relief Web*

(Clinton, NY – Oct. 7, 2011) James W. Ring, Winslow Professor of Physics Emeritus at Hamilton College asserts that household use of natural gas obtained from hydrofracking in the Marcellus Shale can cause exposure to unacceptably high levels of Radon Gas and Lead. Professor Ring claims that both natural gas and Radon will be generally released by the fracturing process and will move together as a

IND448-1 See the response to comment LA5-6 regarding radon.

S-1755

INDIVIDUALS

IND448 – Allegra Schecter (cont’d)

IND448 -1 cont'd	<p>mixed gas out of gas wells and into homes. Also, as the Radon decays, lead is formed in the pipes and into the homes where natural gas is piped.</p> <p>Radium, Radon and Lead are all health hazards. Lead is a heavy metal that is toxic when ingested or when its dust is breathed in. Radium and Radon cause tissue damage particularly to the lungs when breathed in or when ingested. Next to smoking, Radon is the most potent cause of lung cancer.</p> <p>The Marcellus Shale contains Radium 226. This has been shown by DEC tests of wastewater in 12 wells drilled in NYS. In 11 of the wells the Radium 226 exceeded the EPA's limit for safe discharge—in one case by 267 times that concentration.</p> <p>Proponents of hydrofracking tell us that we need to allow this form of gas drilling in the Marcellus and Utica Shales for our own domestic natural gas needs, while the DEC's own tests show the potential for Radon and Lead contamination means that the gas can only be used at the great risk of our health and the habitability of our homes. The DEC and New York State elected officials should enforce national health and safety standards and should not allow hydrofracking in New York State.</p>
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# INDIVIDUALS

## IND449 – Thomas Gorman

Thomas Gorman  
476 Poplar Hill Road  
Unadilla, NY 13849

04.05.14

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3rd Floor  
Watervliet, New York 12189-4000

Re: Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR

IND449-1

I am a registered intervenor and live on property adjacent to the route of the proposed Constitution Pipeline. More importantly, I, like the staff and members of the FERC, and all other human beings, live on planet Earth. What I'm about to talk about concerns all of us.

As professionals in the field of energy regulation and policy, the staff members of the FERC are aware of the relationship between energy, the environment and the economy, and as such must also be aware of how the wastes and other byproducts produced by burning fossil fuels are affecting climate stability. The FERC *should* be aware, in particular, of the recently released United Nations Intergovernmental Panel on Climate Change's (IPCC) Fifth Assessment Report on the current and projected effects of climate change and instability.

[www.ipcc.ch/report/ar5/](http://www.ipcc.ch/report/ar5/)

This report notably differs from previous reports in its specificity and the striking severity of the scenarios it outlines, and states unequivocally that:

*"... recent climate-related extremes, such as heat waves, droughts, floods, cyclones, and wildfires, reveal significant vulnerability and exposure of some ecosystems and many human systems to current climate variability."*

And further:

*[Over the last few years,] "several periods of rapid food and cereal price increases following climate extremes in key producing regions indicate a sensitivity of current markets to climate extremes..."*

The IPCC report writes that continued climate change and instability will bring with it an escalating *"breakdown of food systems linked to warming, drought, flooding and precipitation variability and extremes..."* This climate-change-caused breakdown in interdependent human and natural systems will likely *"prolong existing, and create new, poverty traps..."* as well as increase *"risks of violent conflicts in the form of civil war and inter-group violence."*

IND449-1

See the response to comment SA6-1 regarding climate change. Section 3.1.2.3 of the EIS provides a discussion of renewable energy.

# INDIVIDUALS

## IND449 – Thomas Gorman (cont'd)

IND449-1  
cont'd

One of the conclusions of the report is that without immediate and substantial action there is high risk that within this century large parts of the planet's currently arable and populated land may be virtually uninhabitable for much of the year.

The report plainly states that this is a real emergency—that immediate and transformative action is needed at every level: individual, local and national, personal, political and financial. Even the President of the World Bank has called for divestment from fossil fuels and investment in green energy:

*"If we are to avoid catastrophic climate change and bequeath a sustainable planet worth living on, we must push... for a transformed, sustainable and fair world."*

The IPCC report is starkly clear: Continuing to burn fossil fuels at current or increased levels poses a major threat to world health, stability and security and will result in climate events and environmental conditions what will be disastrous to the global economy. It is plain that a "lesser of two evils" approach—that is, increasing the use of natural gas (an allegedly "cleaner" fossil fuel) over coal or oil is foolhardy. A "bridge" to a stable and livable climate and sustainable energy regime cannot be built by burning *more* atmospheric-carbon producing fossil fuels, whatever the type. The clear and necessary action is to immediately accelerate the build-out of carbon-neutral energy systems while decommissioning the fossil-fuel-based system.

It is the FERC's authority to approve proposed energy projects (and grant power of eminent domain seizure...) based on public need and convenience. The science is clear, and it is now abundantly self-evident that any project that increases the supply of fossil fuels for burning *is not* for the public good, but instead contributes to damaging public health, stability, security and ultimately the economy on a massive, global scale. Further, it creates a disincentive for the critically necessary investment in, and the transition to, a carbon-neutral energy future as called for in the IPCC report, the reports from the World Bank, etc.

This alone is sufficient reason to deny approval for the construction of the Constitution Pipeline. The contribution the project will make to climate change and instability and the harm it is projected to wreak on human health and economy far, far overwhelms any (alleged or actual) benefits it would bring in the form of briefly lower energy costs or temporary construction jobs. Specific to the DEIS, the negative impacts of climate change from the burning of fossil fuel are substantial. How the additional supplies of fossil fuels this project would bring to market and cause to be burned will exacerbate those impacts on the macro-environment is not addressed. An 'environmental impact study' by definition is not complete unless the full impacts on the environment are studied. This DEIS fails to even mention the Constitution Pipeline's possible impacts and contribution to climate change. As the IPCC Report indicates, climate change is perhaps the largest and most critically dire issue the world now faces, and any contribution to its severity and effects must be identified and studied before proceeding with an energy infrastructure project.

Sincerely,  
Thomas Gorman

S-1758

INDIVIDUALS  
IND450 – Mary Colleen McKinney

20140407-5129 FERC PDF (Unofficial) 4/6/2014 2:38:42 PM

Mary Colleen McKinney  
476 Poplar Hill Rd.  
Unadilla, NY 13849

April 6, 2014

Kimberly D. Bose, Secretary The FERC 888 First Street NE, Room 1A Washington, D.C. 20426	US Army Corps of Engineers New York District, CENAN-OP-R Upstate Regulatory Field Office 1 Buffington St., Bldg.10,3 <sup>rd</sup> Fl. Watervliet, New York 12189-4000
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Re: Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR

IND450-1

I am an intervenor and my land is adjacent to the route of the proposed Constitution Pipeline.

Given that the "sweet spots" of gas in Pennsylvania's Marcellus shale have been tapped and the rest of the field is plateauing and likely to go into steep production decline very soon, in the near future Pennsylvania will not be producing enough gas to fill the proposed Constitution Pipeline. The question this fact raises is *Where will Cabot, Williams, Piedmont and their partners find the fracked gas to fill their massive new pipeline?*

The answer is New York.

In order to satisfy investors' demands for return and to offset the \$750 million cost of their pipeline, the companies behind Constitution Pipeline will need frack somewhere new. Conveniently the route of their proposed project runs along the Marcellus and Utica shales in New York, and, as they have indicated in shareholder communications, they plan to exploit this "shale play."

Because of this fact, the DEIS must address the impacts-- environmental, financial, socioeconomic, etcetera--that fracking would have on New York state.

Sincerely,

Mary Colleen McKinney

IND450-1

See the responses to comments LA1-4 and FA4-45 regarding hydraulic fracturing.

S-1759

INDIVIDUALS

IND450 – Mary Colleen McKinney (cont’d)

20140407-5129 FERC PDF (Unofficial) 4/6/2014 2:38:42 PM

Mary Colleen McKinney  
476 Poplar Hill Rd.  
Unadilla, NY 13849

April 6, 2014

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington St., Bldg. 10, 3<sup>rd</sup> Fl.  
Watervliet, New York 12189-4000

Re: Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR

IND450-2

Underscoring a fact I pointed out earlier in the DEIS comment period—that of the danger of high-pressure gas pipelines to the people who must live near them, and how there is now at least one pipeline explosion per month—I submit to the FERC April’s first pipeline explosion, courtesy of Williams Energy. (It is first, that is, if you don’t count the April 1<sup>st</sup> explosion at an LNG facility, also owned by Williams, near the Columbia River at Plymouth, Washington.)



IND450-2

See the response to comment IND434-1. See the response to comment IND13-3 regarding safety.

INDIVIDUALS

IND450 – Mary Colleen McKinney (cont’d)

20140407-5129 FERC PDF (Unofficial) 4/6/2014 2:38:42 PM

IND450-2  
cont'd

The blast pictured above (in a photo from WTRF news) happened on April 5<sup>th</sup> along a 12-inch-diameter pipeline in West Virginia. According to WTRF news, the rupture was caused by a “hillside slip” or “small landslide.”

The route of the proposed Constitution Pipeline runs along 35.1 miles of steep and side slopes. That’s 28 percent of the entire route. The slopes and hillsides along the proposed route are dotted with natural springs, streams and marshy, soggy areas. They are ideal locations for hillside slips, shifting earth and small landslides.

The natural landscape of the Western Catskills—something that cannot be changed—would pose a constant risk to the integrity of a dangerous high-pressure pipeline, and to the lives of all of us who live along and around the proposed route.

Please consider this serious risk and reject this permit application.

Sincerely,  
Mary Colleen McKinney

S-1761



# INDIVIDUALS

## IND450 – Mary Colleen McKinney (cont'd)

20140407-5129 FERC PDF (Unofficial) 4/6/2014 2:38:42 PM

Mary Colleen McKinney  
476 Poplar Hill Rd.  
Unadilla, NY 13849

April 6, 2014

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington St., Bldg. 10, 3<sup>rd</sup> Fl.  
Watervliet, New York 12189-4000

Re: Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR

IND450-3

For the record, I submit the following photos of my hillside property adjacent to the route of the proposed Constitution Pipeline (CP) as evidence of the many and varied springs that exist and the hillside runoff that occurs on the ridge south of I-88 in the town of Sidney. During various times of year, rivers of water run across my lawn, driveway and fields, leaving the ground soaked, soft, muddy and unstable.



IND450-3

Field data were provided for any parcels for which Constitution was granted survey permission. See the response to comment FA4-3 regarding unsurveyed parcels. As stated in section 2.3.2.9 of the EIS, subsurface springs or seeps encountered during excavation activities would be directed down-slope through drainage pipes or French drains.

**INDIVIDUALS**

**IND450 – Mary Colleen McKinney (cont’d)**

20140407-5129 FERC PDF (Unofficial) 4/6/2014 2:38:42 PM

IND450-3  
cont'd



As evidenced by the April 5, 2014, explosion of the Williams Energy pipeline in West Virginia, soft, shifting earth ruptures pipelines.

# INDIVIDUALS

## IND450 – Mary Colleen McKinney (cont’d)

20140407-5129 FERC PDF (Unofficial) 4/6/2014 2:38:42 PM

IND450-3  
cont'd

Much of the data that CP has submitted to FERC regarding their proposed route has come from desktop sources (including generalized, incomplete and often outdated maps and outdated census data), not from in-person, on-the-ground surveys. In fact, CP representatives have blatantly discounted or ignored experience-based information provided to them by landowners—landowners who have firsthand observational knowledge of their property going back years or even decades.

The DEIS states that the proposed “pipeline project would cross a total of 277 surface waterbodies, two of which are considered major waterbodies (greater than 100 feet wide).” In reality, the route would cross hundreds of additional natural springs, some that run intermittently, others that flow year round. These natural springs pose an extreme risk for pipeline ruptures should this project go forward.

Do not allow a dangerous high-pressure pipeline in soft, often muddy, unstable ground. Reject this DEIS and reject Constitution Pipeline’s permit application.

Sincerely,  
Mary Colleen McKinney

INDIVIDUALS

IND450 – Mary Colleen McKinney (cont’d)

S-1765

20140407-5129 FERC PDF (Unofficial) 4/6/2014 2:38:42 PM

Mary Colleen McKinney  
476 Poplar Hill Rd.  
Unadilla, NY 13849

April 6, 2014

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington St., Bldg. 10, 3<sup>rd</sup> Fl.  
Watervliet, New York 12189-4000

Re: Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR

IND450-4

Page seven of the DEIS’s Executive Summary states: “In general, impacts on recreational and special interest areas, including two New York State Forests, would be temporary (several days to several weeks in any one area). *Constitution would install the pipeline at greater depths to allow trees to grow back over the pipeline.*” Clearcutting a section of forested land is not an impact that is “temporary, (several days to several weeks in any one area)”, it is an impact the effect of which is measured in decades at the least.

Section 4.8.4.1 states: “Following construction, 0.4 acre and 0.5 acre of the Melondy Hill State Forest and Clapper Hollow State Forest, respectively, *would be permanently affected by operation of Constitution’s project and convert to open lands.*”

These two sections contradict each other. Would the land be clear cut, or would trees be allowed to grow back over a pipeline buried deeper than anywhere else along the route?

IND450-5

The above-mentioned error is a relatively minor one. However, it is possible that the FERC may contradict itself on larger, more serious issues in the DEIS that could dramatically and adversely affect people along the proposed pipeline and their land, homes, water, trees, etcetera.

The public and, specifically, affected citizens have not had enough time to review this document. As has been shown by the many intervenor comments submitted, the DEIS is inadequate and incomplete. More time must be allowed to review and assess this hastily prepared document.

Sincerely,

Mary Colleen McKinney

- IND450-4

The Executive Summary has been revised to clarify the statement regarding regrowth of trees overtop of the pipeline. This has since been removed from Constitution’s proposal due to technical infeasibility.
- IND450-5

See response to comment FA1-1.

INDIVIDUALS  
IND451 – Kerry A. Lynch

20140407-5131 FERC PDF (Unofficial) 4/6/2014 5:53:39 PM

April 6, 2014

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3rd Floor  
Watervliet, New York 12189-4000

Re: Docket Nos. FERC CP13-499 and CP13-502; USACE NAN-2012-00449-UBR

Dear Ms. Bose:

IND451-1

I am strongly opposed to the Constitution pipeline.

IND451-2

I live a mile downhill from the proposed route. Our property was in the line of an earlier proposed route and it might be again if the route is changed again. As it is, we're in the kill zone.  
  
Eminent domain allows gas transmission companies to steal Americans' property. It should be allowed only after thorough consideration of its impact, but FERC gives it shockingly short shrift in the draft EIS. You treat it as a just another aspect of business as usual and you accept the industry's preposterous assertion that the construction of a pipeline does not reduce land values.

IND451-3

You ignore evidence to the contrary, and you brush off questions about mortgages and insurance by saying your staff contacted a handful of banks and insurers for opinions. How can you call this "analysis"?  
  
The draft EIS should be revised to include a more thorough discussion of eminent domain, mortgages, and insurance.

Yours truly,

Kerry A. Lynch  
Registered Intervenor  
  
2354 Pumpkin Hollow Rd.  
Oneonta NY 13820

- IND451-1

The commentor’s statements in opposition to the proposed projects are noted.
- IND451-2

See the response to comment FA8-3 regarding eminent domain.
- IND451-3

See the response to comment LA5-3 regarding property values, insurance, and mortgages.

**INDIVIDUALS**  
**IND452 – Reanne Stack**

S-1767

20140407-5130 FERC PDF (Unofficial) 4/6/2014 5:29:09 PM

Constitution Pipeline is Making Me Ill

- IND452-1 | My husband and I are landowners in Davenport, NY, along the proposed route for the Constitution Pipeline (CP). Because of this proposed cancer on the land, we have been unable to proceed with our plans of the past eight years to build a home on our beautiful land.
- I am writing to inform you of how CP is making me ill AND IT HASNT EVEN BEEN BUILT! I shudder to think of how many of us along its route will be affected in many more negative ways if FERC should be duped by CP into allowing this abomination to be injected into our water, soils and bedrock, simultaneously polluting our air quality with noise and pollutants.
- CP is making me ill, emotionally ill, as I experience first hand its ability to, and enjoyment of, pitting neighbors against neighbors as those who are deluded by the fantasy that a pipeline will benefit us come against those who know, whether scientifically or intuitively, the devastating short and long term impacts this cancer will have on this pristine part of America, solely for the financial gain of those individuals who call themselves the CP.
- CP is making me ill, churning with anger, unable to sleep, as I have just witnessed their mockery of FERC's DEIS this past week. I attended the sessions on Monday and Tuesday evenings in Richmondville and Oneonta and watched as orange clad CP bullies poured out of busses to intimidate those of us with legitimate concerns about the environmental impact statement that the meetings were supposed to address. These characters strutted around claiming that the CP should be built because, for a few months, some of them might get short term work. Several of them didn't even know the correct name of the cancer, calling it "the Constitutional pipeline."
- CP is making me ill, filled with stress and concern for my neighbors who are considering abandoning their home along the route if this nightmare becomes a reality.
- IND452-2 | CP is making me ill, filled with disgust, that a corporation can have the power to destroy Americans' dreams and livelihoods, homes and neighborhoods; destroy sensitive ecological areas, including wetlands, bogs and streams, so they can transport compressed natural gas from the devastated areas in Pennsylvania, where fracking is occurring, to export the gas for their pure profit with blatant disregard for the environment including the plants, animals, birds and humans it adversely impacts along the way.
- IND452-3 | CP is making me ill with fear and anxiety as I contemplate living near an industrial right of way that will bring water, air, and noise pollution to an

- IND452-1 | See the response to comment CO1-2. Noise impacts and proposed mitigation are discussed in section 4.11.2 of the EIS. See the response to comment CO50-108 regarding the comment meetings. The commentator's statements regarding the proposed projects are noted.
- IND452-2 | See the response to comment CO1-1. See the response to comment LA7-5 regarding the export of natural gas.
- IND452-3 | See the response to comment CO1-2.

INDIVIDUALS

IND452 – Reanne Stack (cont’d)

20140407-5130 FERC PDF (Unofficial) 4/6/2014 5:29:09 PM

IND452-3  
cont'd

agricultural region, after first raping 124 miles of beautiful woods, wetlands, waterways and farm land. And all done in pursuit of their own financial gain with total disregard for the devastating impact their shortsighted and greed driven actions will permanently afflict along the way.

IND452-4

CP is making me ill to think they have the power to sway FERC to steal our land through eminent domain. FERC, please prove this conception of mine to be misguided, wrong. PLEASE make your decision based on the long term impacts this cancer will have and DON'T allow the proposed Constitution Pipeline to ever be built.

Thank you.

Reanne

IND452-4      See the response to comment FA8-3 regarding eminent domain.  
The commentor’s request to deny the proposed projects is noted.

**INDIVIDUALS**  
**IND453 – Robert Stack**

20140407-5132 FERC PDF (Unofficial) 4/6/2014 6:22:56 PM

Robert Stack, Davenport, NY

Kimberly D. Bose, Secretary  
The Federal Energy Regulatory Commission  
888 First Street NE Room 1A  
Washington, D.C. 20426

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg 10, 3<sup>rd</sup> Floor  
Watervliet, New York 12189-4000

Re: Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR

Mrs. Bose:

IND453-1

I want to add my voice to those attendees at the FERC hearings, denouncing the bullying tactics of union workers whose sole purpose was to disrupt the meetings. What they expected to gain from this behavior is beyond me. They extol love of country, devotion to their communities, and the need of a paycheck. All noble sentiments, but the reality is something else.

First, the paycheck: let's face facts, the Constitution Pipeline is a corporation, interested only in profits. It doesn't care whether you have a job or don't have a job. If they need somebody's labor, they will pay for it, then cut the worker loose. Anybody who thinks there will be a steady stream of paychecks for the foreseeable future is delusional.

Next, these union workers speak about how they love their country and their communities. What hypocrisy! They need to understand that if they're digging a hole for the pipeline, they will likely be digging that hole on land that was stolen from the owner. NO AMERICAN SHOULD MAKE MONEY FROM THE THEFT OF ANOTHER AMERICAN'S PROPERTY. Yet, not one of the union people even acknowledged that this will be the case.

Finally, the unions were urging construction of the pipeline, not based on economic arguments but based on the need for jobs. This was not the intent of the FERC DEIS hearing; the regional need for jobs is not, and should not be, the basis for building the pipeline.

Robert Stack, an affected landowner in Davenport, NY.

IND453-1

See the response to comment CO50-108 regarding the comment meetings. See the response to comment IND205-1 regarding jobs.



INDIVIDUALS  
IND454 – Kerry A. Lynch

20140407-5133 FERC PDF (Unofficial) 4/6/2014 6:29:43 PM

April 6, 2014

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3rd Floor  
Watervliet, New York 12189-4000

Re: Docket Nos. FERC CP13-499 and CP13-502; USACE NAN-2012-00449-UBR

Dear Ms. Bose:

IND454-1

I live a mile downhill from where the Constitution pipeline would cross our road.  
  
I worry about what will happen to the roads around here during construction. When FERC staff came here to conduct their hearings (which were a disgrace, as many have told you), I hope they took time to drive around and see the route firsthand. Our own road is a narrow, barely paved one that winds uphill along a steep embankment. The slope of the road is steepest along the same stretch where the embankment is steepest.  
  
This road was not designed to accommodate heavy trucks, nor were many other roads around here.  
  
Looking at the maps, it looks like the trucks would be traveling on a lot of local roads, past houses and communities that probably don't even realize right now what they're in for. For example, the proposed contractor yard (spread 4b) in Schenevus is next to an exit for interstate I-88, which makes it convenient for accepting deliveries of equipment and material, but it is nowhere near the actual pipeline route. To get from the yard to the route, the trucks would presumably have to go around South Hill – a long detour – or go over it. If they go over South Hill, they would have to drive up, down, and along steep, winding, narrow roads, many of them unpaved.  
  
How is the Constitution company going to monitor road damage? What about road dust and ruts? Their website says they will videotape roads before and after construction. Who will monitor this? Will the public have ready access to this video? Who will define "damage" and "mitigation" and decide what repairs are needed? Who will pay for it? If a road erodes or washes out a few months after the pipeline construction ends, due to wear and tear caused by the project, will Constitution be held liable? How? Will the burden be on our towns to hire lawyers?  
  
These are real economic costs yet you don't address them in the draft EIS.

Kerry A. Lynch

IND454-1      See the response to comment LA1-1 regarding road repairs. The FERC compliance monitors would also travel access roads in the area and monitor their condition Constitution's use of them. Constitution has removed the Spread 4b contractor yard from its proposal.

INDIVIDUALS

IND454 – Kerry A. Lynch (cont'd)

20140407-5133 FERC PDF (Unofficial) 4/6/2014 6:29:43 PM	
IND454-1 cont'd	Registered Intervenor 2354 Pumpkin Hollow Rd. Oneonta NY 13820

**INDIVIDUALS**  
**IND455 – Kerry A. Lynch**

20140407-5134 FERC PDF (Unofficial) 4/6/2014 6:37:46 PM

April 6, 2014

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3rd Floor  
Watervliet, New York 12189-4000

Re: Docket Nos. FERC CP13-499 and CP13-502; USACE NAN-2012-00449-UBR

Dear Ms. Bose:

IND455-1 I live a mile downhill from where the Constitution pipeline would cross our road.

I worry about blasting. The soil around here is very stony. Where I live, you can't stick a shovel in the ground without hitting rock. The hills here are crisscrossed by old stone walls, built by hilltop farmers who cleared their fields each spring by dragging stoneboats filled with rocks to the edges of their fields. The next year they'd do it all over again with a new crop of stones. The stones never end.

The Constitution company is going to be doing a LOT of blasting, and I worry about the impact on the people, the land, the animals and birds, and the water, especially underground streams and aquifers. As with so much of the EIS, it's not clear who will define "damage" and how it will be "mitigated."

You should address this in detail and allow the public to comment on a revised EIS.

Kerry A. Lynch  
Registered Intervenor

2354 Pumpkin Hollow Rd.  
Oneonta NY 13820

IND455-1

See the responses to comments FA4-22 and IND110-6. In addition, as stated in section 4.1.5 of the EIS, Constitution would conduct additional monitoring for wells and springs within karst areas. Monitoring would be conducted by Constitution before the start of construction to establish a baseline and would continue through construction at a rate of twice a day when construction is occurring within 2,000 feet of the wells, springs, or groundwater flow path. As stated in section 4.3.2.1 of the EIS, Constitution would test for water quality and quantity parameters prior to and after construction, and provide an alternative water source or a mutually agreeable solution in the event of construction-related impacts. Additionally, in accordance with Constitution's Plan, it would remove any stones larger than 4 inches in diameter from the right-of-way.

S-1772

**INDIVIDUALS**  
**IND456 – Kerry A. Lynch**

S-1773

20140407-5135 FERC PDF (Unofficial) 4/6/2014 6:48:25 PM

April 6, 2014

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3rd Floor  
Watervliet, New York 12189-4000

Re: Docket Nos. FERC CP13-499 and CP13-502; USACE NAN-2012-00449-UBR

Dear Ms. Bose:

IND456-1

I live a mile downhill from where the Constitution pipeline would cross our road.  
  
Pipeline safety is a huge concern. Every week another gas pipeline explodes in this country; just this week a Williams pipeline exploded in Washington state. Clearly, Williams has a problem with safety, yet FERC simply accepts that they will follow all required safety rules. If they were doing this, their pipelines wouldn't keep exploding!  
  
Poor construction practices, poorly qualified construction personnel, and poor training of personnel are common causes of problems with gas pipelines. So says the U.S. Department of Transportation's Pipeline and Hazardous Materials Safety Administration (PHMSA). See: <https://primis.phmsa.dot.gov/construction/faqs.htm>.

IND456-2

Considering what we have already seen of Williams' tactics around here – their bullying of landowners, their trespassing on land, their complicity in encouraging busloads of non-local union workers to be brought in to drown out local voices at FERC's public hearings this week, and their attempt to submit major changes to the pipeline plan at the last minute (adding eleven 100-foot towers) – FERC should look closely at Constitution's training and oversight of construction workers, and describe plans to ensure that all workers, supervisors, and inspectors

IND456-3

are fully qualified, trained, and monitored, and that all procedures are properly followed. Whatever you've done in the past for other permits, it hasn't worked; you need to address the continued and growing problems with pipeline safety, especially Williams' poor record.

IND456-4

This should be addressed in detail in a revised EIS and the public should be given ample time to comment.

Kerry A. Lynch  
Registered Intervenor  
  
2354 Pumpkin Hollow Rd.  
Oneonta NY 13820

- IND456-1      See responses to comments CO47-1 and IND13-3.
- IND456-2      See the response to comment CO50-108 regarding the comment meetings. See the response to comment SA2-1 regarding the communication towers.
- IND456-3      See response to comment CO47-1.
- IND456-4      See response to comment FA1-1.

INDIVIDUALS  
IND457 – Kerry A. Lynch

20140407-5136 FERC PDF (Unofficial) 4/6/2014 6:58:13 PM

April 6, 2014

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3rd Floor  
Watervliet, New York 12189-4000

Re: Docket Nos. FERC CP13-499 and CP13-502; USACE NAN-2012-00449-UBR

Dear Ms. Bose:

IND457-1

I live a mile downhill from where the Constitution pipeline would cross our road.

IND457-2

The draft EIS does not adequately address the issue of compressor stations. Is the current plan for just one station at the beginning of the route adequate? It seems like 124 miles is a long way to run gas without additional compressors. Maybe the company omitted mentioning their plans for additional compressors, just as they omitted any reference to their need for communications towers until a few days before the scheduled end of the period for public comment.

IND457-3

FERC should demand clarification from the Constitution company and review what they and other companies have done in the past. You should not rely on the minimum they might do, you should look at what they typically do and the maximum they could do. The public should be allowed to review a more detailed analysis before any decision is made on a permit.

IND457-4

Kerry A. Lynch  
Registered Intervenor  
  
2354 Pumpkin Hollow Rd.  
Oneonta NY 13820

- IND457-1

See the response to comment IND429-1.
- IND457-2

See the response to comment SA2-1 regarding communication towers.
- IND457-3

Constitution and Iroquois’ proposals were evaluated and reviewed by the FERC engineers.
- IND457-4

See response to comments FA1-1 and SA1-2.

# INDIVIDUALS

IND458 – George Meszaros Jr.

April 6, 2014

George Meszaros Jr.  
146 Beckhorn Hollow  
Van Etten, New York 14889

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426

US Army Corps of Engineers  
New York District. CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3rd Floor  
Watervliet, New York 12189-4000

Re: Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR

IND458-1

I, a directly affected, intervenor landowner, am submitting the following comments to the above mentioned dockets.

1) Storm Water Pollution Prevention Plan (SWPPP)

Storm water is water from rain or melting snow that doesn't soak into the ground but runs off into waterways. As it flows, stormwater runoff collects and transports pollutants to surface waters. Although the amount of pollutants from a single residential, commercial, industrial or construction site may seem unimportant, the combined concentrations of contaminants threaten our lakes, rivers, wetlands and other Pollution conveyed by stormwater degrades the quality of drinking water, damages fisheries and habitat of plants and animals that depend on clean water for survival. Pollutants carried by stormwater can also affect recreational uses of water bodies by making them unsafe for wading, swimming, boating and fishing. According to an inventory conducted by the United States Environmental Protection Agency (EPA), half of the impaired waterways are affected by urban/suburban and construction sources of stormwater runoff.

Examples of Pollution in Stormwater

IND458-1

As stated in table 1.5-1 of the EIS, Constitution submitted an Application for a General Permit for Stormwater Discharges from Construction Activities to the NYSDEC in August 2013. The NYSDEC is the agency by law responsible for review and approval of the stormwater permit. Inclusion of Constitution's stormwater permit Application within the draft EIS would be redundant and constitute an administrative burden to the public. The EIS provides a discussion of the preferred route (section 2.0 and 4.0), alternative routes (section 3.0), contractor yard(s) (section 2.2.3), permanent and temporary access roads (section 4.8.1.5), and compressor stations (section 2.0 and 4.11.1). Measures to describe stormwater impacts and proposed mitigation are discussed in section 4.3 of the EIS.

# INDIVIDUALS

## IND458 – George Meszaros Jr. (cont'd)

S-1776

IND458-1  
cont'd

- Nutrients such as phosphorus and nitrogen can promote the overgrowth of algae, deplete oxygen in the waterway and be harmful to other aquatic life.
- Bacteria from animal wastes and illicit connections to sewerage systems can make nearby lakes and bays unsafe for wading, swimming and the propagation of edible shellfish.
- Oil and grease from construction equipment causes sheen and odor and makes transfer of oxygen difficult for aquatic organisms.
- Sediment from construction activities clouds waterways and interferes with the habitat of living things that depend upon those waters.
- Careless application of pesticides, herbicides and fertilizers affect the health of living organisms and cause ecosystem imbalances.
- Litter damages aquatic life, introduces chemical pollution, and diminishes the beauty of our waterways.

The best way to control contamination to stormwater is usually at the source, where the contaminants can be identified, reduced or contained before being conveyed to surface water. More often than not, it's more expensive and difficult to remove the combination of contaminants that are present at the end-of-pipe where stormwater is finally discharged directly to a receiving waterbed

### Regulatory Requirements

The U.S.EPA and NYSDEC are increasing their attention in several ways. There are several State Pollutant Discharge Elimination System (SPDES) general permits required for activities associated stormwater discharges.

- The [Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activities](#) (MSGP) addresses stormwater runoff from certain industrial activities. This permit requires facilities to develop Stormwater Pollution Prevention Plans (SWPPPs) and report the results of industry-specific monitoring to the New York State Department of Environmental Conservation (NYSDEC) on an annual basis.

Construction activities disturbing one or more acres of soil must be authorized under the [General Permit for Stormwater Discharges from Construction Activities](#). Permittees are required to develop a SWPPP to prevent discharges of construction-related pollutants to surface waters.(1)

INDIVIDUALS

IND458 – George Meszaros Jr. (cont’d)

S-1777

IND458-1  
cont'd

As of this date, Constitution Pipeline has failed to submit a SWPPP to FERC, USACE, and NYSDEC. This plan must also include all water certifications for waterbodies and wetlands that will be directly and indirectly impacted by this project. The SWPPP must include the preferred route, all alternative routes, contractor yards, permanent access roads, temporary access roads and compressor stations that are being considered for this project. This vital missing critical information, must be included in the DEIS, before the issuance of the EIS, not prior to construction.

The SWPPP must be received by FERC and USACE prior to the end of the comment period as required by FERC regulations. This SWPPP must be available for review and public comment. The public and I, have not had the opportunity to review and comment on this vital piece of missing critical information.

Sincerely,  
George Meszaros Jr.

(1) New York State Department of Environmental Conservation web site  
[www.dec.ny.gov/stormwater](http://www.dec.ny.gov/stormwater)



INDIVIDUALS

IND459 – George Meszaros Jr.

April 6, 2014

George Meszaros Jr.  
146 Beckhorn Hollow  
Van Etten, New York 14889

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426

US Army Corps of Engineers  
New York District. CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Sreet, Bldg. 10, 3rd Floor  
Watervliet, New York 12189-4000

Re: Docket Nos. CP13-499 and CP13-502; NAN-2012---00449-UBR

IND459-1

I, a directly affected, intervener landowner, am submitting the following comments to the above mentioned dockets.

The photos show the area at Mile Post 87.1, where a Trenchless Crossing is planned. Photos show waterbodies DE-1C-S117, DE-1R-S001 and wetlands DE-1Q-W216 and DE-1C-W217.

Trench crossing located at Mile Post 87.1 not analyzed in detail. This information for this particular Trenchless Crossing as well as all other Trenchless Crossings, must be included in the DEIS before the issuance of the EIS, not prior to construction, as required by FERC. Constitution Pipeline states "it is possible for HDD operations to fail, primarily due to encountering of unexpected geologic conditions during drilling". This particular location contains approximately 700 plus feet of shallow depth bedrock. If the trenchlees crossing method fails, according to table, Constitution Pipeline has no preferred alternative crossing method. With my limited engineering background, it is reasonable to predict that this trenchless crossing at Mile Post 87.1 will fail. I believe Constitution Pipeline has knowledge of this, and omitted this information from all of their reports. How can the public or I make necessary comments from this missing information?

PHOTO #1

IND459-1

Table 2.3.2-1 of the EIS provides proposed alternative crossing methods if the trenchless crossing method fails. Prior to construction Constitution must file geotechnical feasibility studies on our e-Library system which would be available to the public for review and comment.

**INDIVIDUALS**

**IND459 – George Meszaros Jr. (cont'd)**

S-1779

IND459-1  
cont'd

HDD Site at Mile Post 87.1 Looking towards Mud Lake. Survey marker in center of output stream indicating center of pipeline.



PHOTO #2

HDD Site at Mile Post 87.1 Looking towards HDD Entry Site. Pipeline ROW center of photo.

## INDIVIDUALS

IND459 – George Meszaros Jr. (cont'd)

IND459-1  
cont'd



PHOTO #3

HDD Site at Mile Post 87.1 Looking towards Mud Lake. Lower edge of photo at Pipeline centerline.

S-1780

Individual Comments

## INDIVIDUALS

IND459 – George Meszaros Jr. (cont'd)

IND459-1  
cont'd



PHOTO #4

HDD Site at Mile Post 87.1 Looking towards output of Mud Lake. Pipeline expected to run from left of photo to right of photo where channel is in center of photo at survey marker.

S-1781

Individual Comments

**INDIVIDUALS**

**IND459 – George Meszaros Jr. (cont’d)**

IND459-1  
cont'd



Sincerely,  
George Meszaros, Jr

S-1782

# INDIVIDUALS

## IND460 – George Meszaros Jr.

April 6, 2014

George Meszaros Jr.  
146 Beckhorn Hollow  
Van Etten, New York 14889

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426

US Army Corps of Engineers  
New York District. CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Sreet, Bldg. 10, 3rd Floor  
Watervliet, New York 12189-4000

Re: Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR

IND460-1

I, a directly affected, intervener landowner, am submitting the following comments to the above mentioned dockets.

The photos show the area at Mile Post 87.1, where a Trenchless Crossing is planned. Photos show waterbodies DE-1C-S117, DE-1R-S001 and wetlands DE-1Q-W216 and DE-1C-W217.

Trench crossing located at Mile Post 87.1 not analyzed in detail. This information for this particular Trenchless Crossing as well as all other Trenchless Crossings, must be included in the DEIS before the issuance of the EIS, not prior to construction, as required by FERC. Constitution Pipeline states "it is possible for HDD operations to fail, primarily due to encountering of unexpected geologic conditions during drilling". This particular location contains approximately 700 plus feet of shallow depth bedrock. If the trenchlees crossing method fails, according to table, Constitution Pipeline has no preferred alternative crossing method. With my limited engineering background, it is reasonable to predict that this trenchless crossing at Mile Post 87.1 will fail. I believe Constitution Pipeline has knowledge of this, and omitted this information from all of their reports. How can the public or I make necessary comments from this missing information?

PHOTO #5

HDD Site at Mile Post 87.1 Looking towards Mud Lake.

IND460-1

See the response to comment IND459-1.



## INDIVIDUALS

IND460 – George Meszaros Jr. (cont'd)

IND460-1  
cont'd



PHOTO #6

HDD Site at Mile Post 87.1 Looking at output of Mud Lake.

S-1784

Individual Comments

## INDIVIDUALS

IND460 – George Meszaros Jr. (cont'd)

IND460-1  
cont'd



PHOTO #7

HDD Site at Mile Post 87.1 Looking towards HDD exit site.

S-1785

Individual Comments



**INDIVIDUALS**

**IND460 – George Meszaros Jr. (cont'd)**

IND460-1  
cont'd



Sincerely  
George Meszaros, Jr

INDIVIDUALS

IND461 – Raymond Lewis

20140407-5140 FERC PDF (Unofficial) 4/6/2014 7:51:46 PM

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3rd Floor  
Watervliet, New York 12189-4000

Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR

IND461-1

I am very concerned with the effect this pipeline is going to have by destroying so many trees, destroying natural CO2 uptakers, totally disrupting nature breeding areas, and destructively fragmenting our forests.

Raymond Lewis  
Sidney, NY

IND461-1      Sensitive resources, as well as potential impacts and mitigation, are discussed in the EIS for interior forest (section 4.5.3).

# INDIVIDUALS

## IND462 – Joyce Bitran

Joyce Bitran  
289 Ploss Rd.  
Richmondville, NY 12149

April 7, 2014

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3rd Floor  
Watervliet, New York 12189-4000

Re: Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR

IND462-1 I am writing as a concerned citizen, homeowner and physician residing in Schoharie county. I am an intervenor opposed to the Constitution Pipeline project.

The proposed Constitution pipeline forsakes the rights of individuals in the involved communities to financially benefit corporate America. Constitution Pipeline claims that the benefits outweigh any potential harm. The damage and harm to the land and disruption of ecological balance will be irreversible if this project is to go forward. It will be a high price to pay when the time comes that we find out that they are wrong. The amount of destruction of land, natural forestry, waterways will have an impact on this area for generations to come.

IND462-2 This area has a fairly large agricultural base with dairy farming and land farming. Has FERC adequately addressed the subject of altering and disrupting prime farmland in the path of Constitution pipeline. The pipeline would mean disruption of these resources. Not to

IND462-3 mention the destruction of the natural beauty of the area in the wake of this project. The potential of landowners and homeowners leaving the area because of this is real. We will experience a negative socioeconomic impact with this pipeline. The notion that there would be a positive impact due to the potential hiring of workers is temporary, shortsighted and naive. Individuals will permanently leave the area, home sales will be difficult, potential problems with agricultural land, insurance coverage, etc. is more likely to occur.

IND462-4 In the past several years, we have seen a good deal of flooding in Schoharie county; the destruction of acres of natural woodlands would have a greater impact on flooding in years to come. Has DEIS adequately studied what the outcome would be of the run off with snow melt and heavy rains with altering the landscape that would be needed for this project? What

IND462-5 about the erosion factor? With the degree of digging, excavating, removal of trees and potential blasting needed along the way would create accelerated erosion. FERC has set forth procedures to mitigate potential impacts. Unfortunately, I cannot feel reassured by that. Who

IND462-6 will be policing Constitution every step along the way that they will indeed adhere to these procedures?

IND462-7 The potential health hazard of having a large underground pipe with flammable gases is of great concern to me. I am not reassured that there are enough safe proof measures taken to guarantee that accidents do not occur or that possible terrorist activity can be deterred.

IND462-8 With a combination of erosion, flooding and ice heaving, it is not inconceivable that these lines may be exposed to the elements with time, further increasing their risk.

IND462-1 See the response to comment CO1-1.

IND462-2 See the response to comment IND297-3 regarding agricultural lands.

IND462-3 See the response to comment IND106-1 regarding socioeconomic impacts. See the response to comment LA5-3 regarding property values, insurance, and mortgages.

IND462-4 See the response to comments CO1-5 and IND113-1 regarding flooding. See the response to comment IND36-2 regarding snow melt.

IND462-5 See the response to comments CO1-4 and IND169-1 regarding erosion and stormwater runoff.

IND462-6 See the response to comment FA4-12 regarding our third-party monitoring program.

IND462-7 See the response to comment IND13-3 regarding safety. Terrorism is discussed in section 4.12.1 of the EIS.

IND462-8 See the response to comments CO1-4 and IND169-1 regarding erosion. See the response to comments CO1-5 and IND113-1 regarding flooding. See the response to comment IND11-8 regarding frost heaving.

S-1788

INDIVIDUALS

IND462 – Joyce Bitran (cont’d)

S-1789

page 2

Comment from Joyce Bitran

IND462-9

The potential of high volume hydraulic fracturing accompanying the construction of this pipeline cannot be ignored. The health hazards involved are real.

Dr. Theo Colborn and colleagues at The Endocrine Disruption Exchange (TEDX) in Colorado recently studied the chemical composition of hydrofracking products used by different drilling companies in various states. They identified almost 1000 chemical products and nearly 650 individual chemicals used in hydrofracking, with at least 59 of them identified as involved in natural gas operations in New York. It is widely believed that there are many more, but these 59 are known with certainty. Using these data, 40 of the 59 chemicals (67.8%) had the potential to cause multiple adverse health effects and 19 (32.2%) were known to potentially cause deleterious effects to the environment.

These concerns are not just for myself and my family, but for the individuals that I care for in the community. These are concerns that I have for the near future as well as concerns for our children's generation.

Joyce Bitran, DO

IND462-9      See the responses to comments LA1-4 and FA4-45 regarding hydraulic fracturing.

**INDIVIDUALS**  
**IND463 – Raymond Lewis**

20140407-5142 FERC PDF (Unofficial) 4/6/2014 7:58:42 PM

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3rd Floor  
Watervliet, New York 12189-4000

**Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR**

IND463-1

There are no mandated setbacks of this pipeline to homes, schools , churches, playgrounds etc. that is unconscionable. We are told we will have to "negotiate" with the Constitution pipeline. To "negotiate" one needs "negotiating power", we have none.

Raymond Lewis  
Sidney, NY

IND463-1

See the response to comments IND242-1 and IND292-8 regarding setback distances. See the response to comment IND13-3 regarding safety.

# INDIVIDUALS

## IND464 – Philip Hulbert

S-1791

20140407-5143 FERC PDF (Unofficial) 4/7/2014 7:25:02 AM	
Philip Hulbert 895 Brick House Rd East Meredith, NY 13757	
April 7, 2014	
Kimberly D. Bose, Secretary The FERC 888 First Street NE, Room 1A Washington, D.C. 20426	
US Army Corps of Engineers New York District, CENAN-OP-R Upstate Regulatory Field Office 1 Buffington Street, Bldg. 10, 3rd Floor Watervliet, New York 12189-4000	
Re: Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR	
IND464-1	I am writing as an intervener and as a landowner whose property would be affected by the construction and operation of the Constitution Pipeline. I wish to comment on the meetings recently conducted by FERC staff and the Draft Environmental Impact Statement (DEIS) for the Constitution Pipeline. I attended the hearings conducted in Richmondville and in Oneonta, New York this week. I was profoundly disappointed with the way these were conducted. As your staff in attendance know well by now, the hearings were essentially a farce. No deference was given to landowners, and those who did speak were heckled by many of the numerous men and a few women "in orange," most of whom had no clue what the DEIS is or what information it contained. Women in attendance sitting next to me, including my wife, grand-daughters, and a neighbor were the recipients of rude and crude remarks. My family and I chose to not attend the remaining hearings, based on the experience of the first two. In future hearings, I suggest your staff return to the format used in the Scoping meetings, allow landowners to speak before receiving comments from others. Alternatively, simply abandon these hearings as a good idea that does not meet its intended objective of receiving relevant comments.
IND464-2	Regarding the DEIS, I have read most of it and wish to state that it has glossed over the substantial environmental impacts that can be anticipated with regard to water and aquatic resources. I will focus on Delaware County as that is where I reside and includes a substantial portion of the projected pipeline route. The quality of the water depends upon the quality of the land. That quality is exceptional. For example, decades ago in the southern portions of Delaware County, the New York City Department of Environmental Protection constructed two water supply reservoirs with combined storage of 236 billion gallons. Clearly the land surrounding those reservoirs is outstanding as the U.S. Environmental Protection Agency does not require that surface water to be filtered before being delivered for human consumption. That waiver of a filtration requirement is one of only 5 granted to large cities in this entire country. Of course most people know that construction projects such as Constitution Pipeline aren't going to be located within N.Y. City's water supply system watershed boundaries. The projected pipeline route through northern Delaware County also passes through land of a similar nature, including several dozen high quality streams that support trout fishing populations and recreational fishing opportunities. The DEIS states that environmental impacts to those streams will be essentially minimal. I do not find that conclusion to be credible.
IND464-3	Cutting 100-110 foot wide swaths through forested hillsides on steep slopes will lead to erosion and deposition of sediment in numerous streams. That outcome does not fit with the conclusion of minimal adverse environmental impact. As your staff no doubt realizes, more miles of pipeline are proposed to be installed on steep slopes and steep side slopes than are proposed to be co-located in existing rights-of-way. The DEIS does note that sediment eroded

IND464-1	See the response to comment CO50-108 regarding the comment meetings.
IND464-2	Sensitive resources, as well as potential impacts and mitigation, are discussed in the EIS for waterbodies (section 4.3.3) and aquatic resources (section 4.6.2.3).
IND464-3	See the response to comment FA4-12 regarding our third-party monitoring program.

INDIVIDUALS  
IND464 – Philip Hulbert (cont'd)

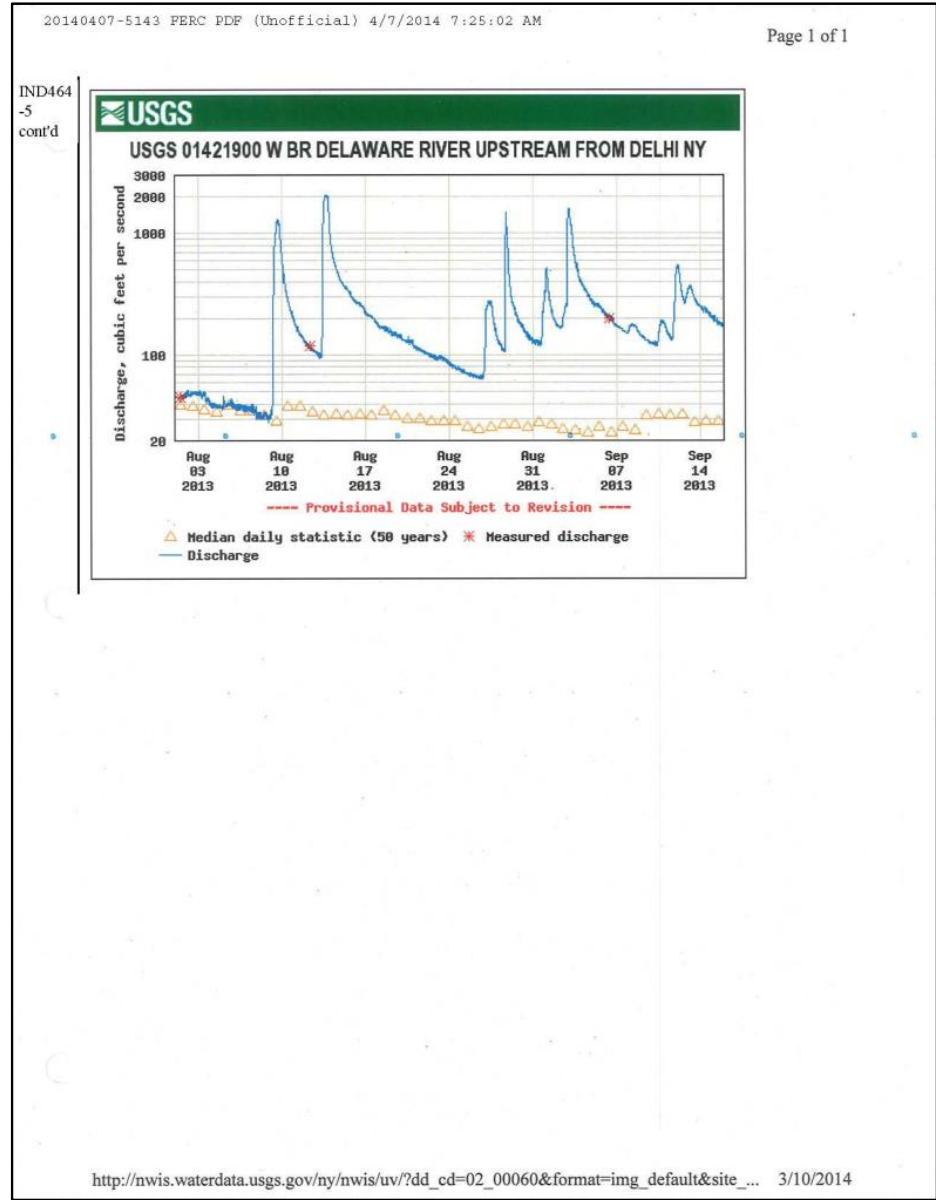
20140407-5143 FERC PDF (Unofficial) 4/7/2014 7:25:02 AM	
page 2	
Comment from Philip Hulbert	
IND464-3 cont'd	and deposited into streams has adverse impacts upon fish and aquatic macro-invertebrate populations - I concur, you got that right. The DEIS as well as the Environmental Construction Plan submitted by Constitution Pipeline in 2013, contain descriptions of various measures that would seemingly minimize erosion and sedimentation. As words on paper, supplemented by assurances that Environmental Inspectors (hired by Constitution Pipeline I believe) will be on site and oversee construction, this sounds almost believable. I have reviewed a number of comparable documents, all publicly available, pertaining to the Millennium Pipeline, which was constructed in New York State in the recent past. The similarity between the words on paper, assurances of minimal environmental impact to aquatic resources, for the two projects is striking. The companies put the right words on paper, acclaim their commitment to construct the lines properly and ensure that environmental permit conditions will be met, and FERC essentially says this sounds good to us.
IND464-4	As noted in the DEIS, there is a construction window for pipeline section crossings that involve protected trout streams in New York. That window is June 1 through September 30. Although portions of New York and other states experienced terrible flooding conditions associated with Hurricane Irene and Tropical Storm Lee in 2011 and with Superstorm Sandy in 2012, last year's (2013) weather was relatively benign in comparison. That is not to say that weather conditions in the Delaware County portion of the project area would have been conducive to minimal erosion. I am including stream flow readings from the US Geological Survey gauge for the West Branch of the Delaware River near Delhi, New York from June 1-September 15, 2013. This includes most of the construction window for protected trout streams as identified in the DEIS. At this location, stream flow is unregulated and changes in stream flow (or discharge in cubic feet per second) clearly reflect precipitation, rainfall during the calendar period shown. Note the number of times that stream flow increased sharply during the construction window. Each of these "spikes" would clearly present a great challenge to multiple construction spreads trying to contain the soil on steep hillsides, preventing erosions and sedimentation from occurring in the streams downslope of the affected land. A challenge that would not be adequately met, despite assurances and words on paper.
IND464-5	So, how do you think this will work out if the Constitution Pipeline is built as described in the DEIS? In my view, it will work out very badly for many of our aquatic resources. I attach a March 2009 article from The River Reporter newspaper published in Narrowsburg, New York pertaining to Millennium Pipeline. The article notes that the pipeline construction resulted in "hundreds of violations of federal and state regulations" including permit conditions, water quality standards and the like. Where were the Environmental Inspectors, FERC staff, and others attempting to assure compliance with the appropriate construction practices and permit conditions? Is your current staff assigned to review the Constitution Pipeline project even aware of what transpired not long ago? More to the point, do they actually believe the outcome will be different this time because words on paper say that will be the case? I do not. I am quite confident that I am not alone in drawing that conclusion.
Sincerely,	
Philip J. Hulbert 895 Brick House Road East Meredith, NY 13757	

IND464-4	See the response to comments CO1-4 and IND169-1 regarding erosion.
IND464-5	See the response to comment FA4-12.

S-1792

INDIVIDUALS

IND464 – Philip Hulbert (cont'd)

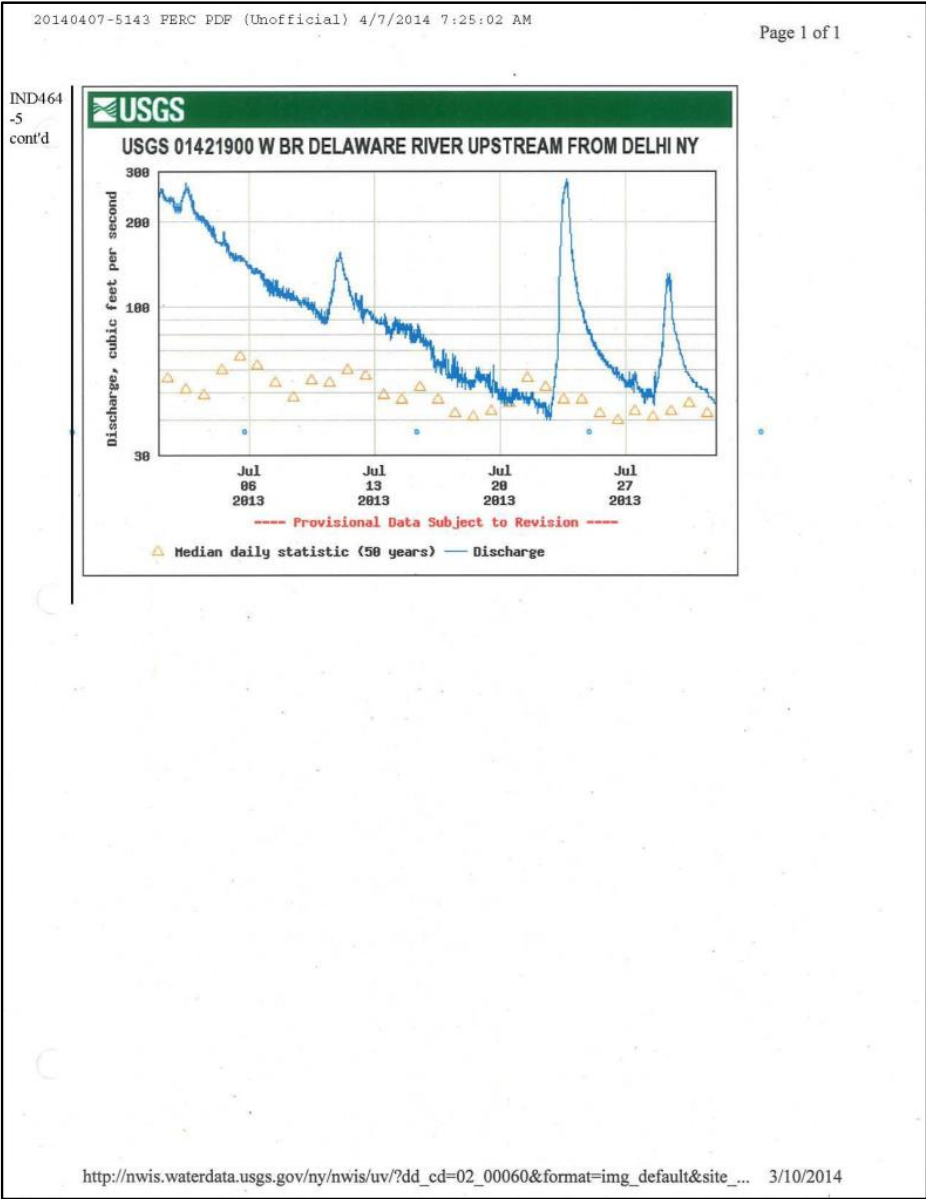


S-1793



INDIVIDUALS

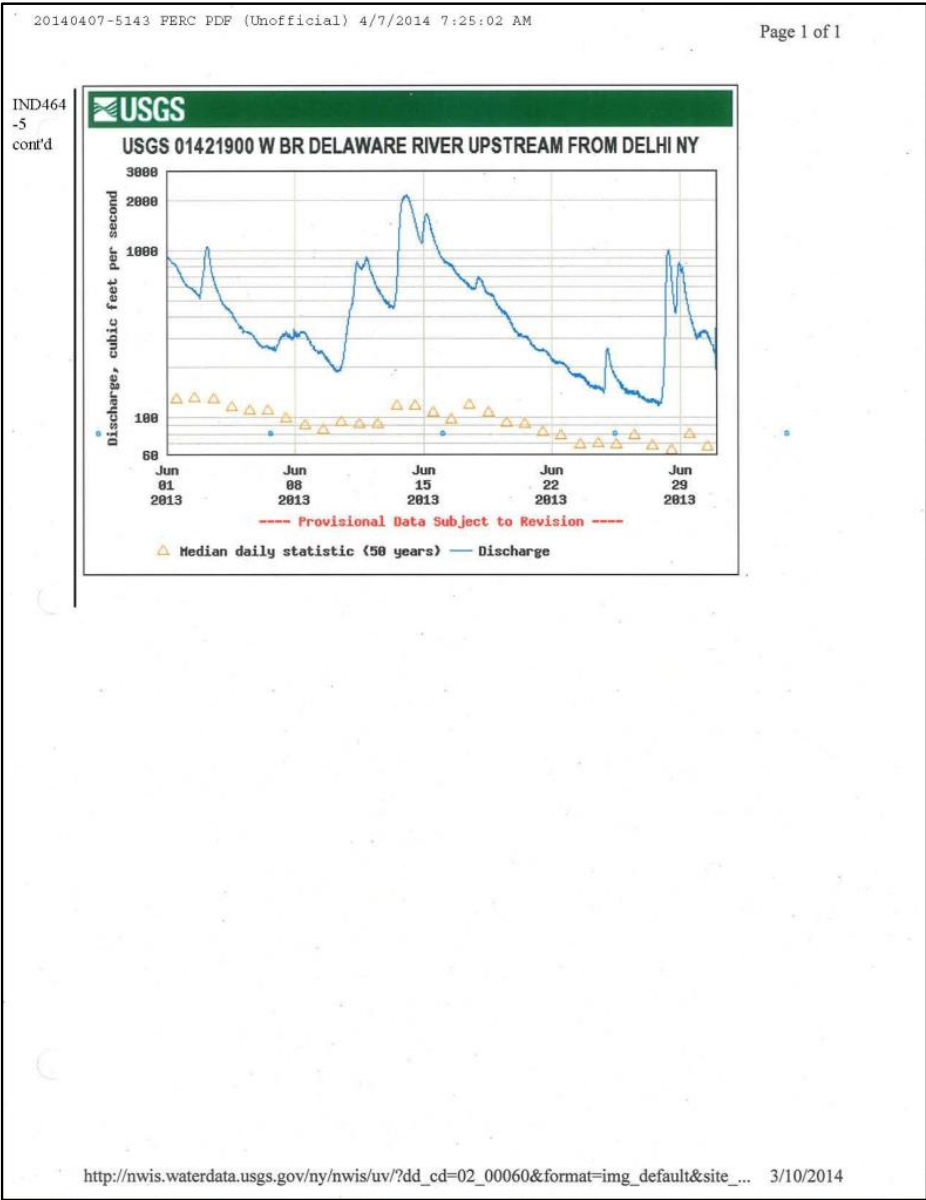
IND464 – Philip Hulbert (cont'd)



S-1794

INDIVIDUALS

IND464 – Philip Hulbert (cont'd)



S-1795

# INDIVIDUALS

IND464 – Philip Hulbert (cont'd)

IND464-5  
cont'd

Sections

News  
Editorial  
Columns  
Feature  
Arts & Leisure  
Outdoors  
Sports  
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Millennium Pipeline agrees to fine, other penalty

Page 1 of 2

THE RIVER REPORTER

VOLUME XXXV No. 10

Narrowsburg, NY

online

March 5 - 11, 2009

THE RIVER REPORTER CLIMATE CHALLENGE

Business carbon impact worksheet Household carbon impact worksheet

newsstories

Millennium Pipeline agrees to fine, other penalty

DEC charges hundreds of violations

By FRITZ MAYER

ALBANY, NY — Millennium Pipeline has agreed to pay \$200,000 in fines and to spend \$1 million to pay for independent specialists to monitor the work of the company as it finishes work on the pipeline this spring and into next year.

The majority of the work on the pipeline, which runs through Delaware, Sullivan, Orange and five other counties was completed in 2008.

According to a complaint filed by the NY Department of Environmental Conservation (DEC) in November of 2008, and obtained by The River Reporter, Millennium committed hundreds of violations of federal and state regulations while constructing the line. Many of the violations were related to the protection of water quality and involved the Mongaup River, East Branch Delaware, Basket Creek and dozens of other creeks, lakes and wetlands. The alleged violations included such charges as a "failure to install and maintain temporary erosion and sediment controls... failure to minimize construction wetland disturbance... and failure to properly address temporary access roads."

However, not all of the alleged violations were about water quality. One had to do with a mudslide on a road near Peas Eddy in Delaware County on June 16, 2008, which resulted in the DEC issuing a stop-work order. The complaint reads, "DEC staff have reviewed [Millennium's] environmental inspection website for the month of June 2008 and found no environmental inspector reports posted on the website for the Peas Eddy area for the month of June 2008." That, said the report, was a violation of regulations covering the pipeline construction.

Other violations included the disturbance of land outside of the area covered by permits, the discharge of fluids into the environment on three separate occasions, including oil and diesel fuel.

Millennium denied the charges but agreed to take several steps as it finishes work on the 182-mile pipeline in the next two years. Beyond paying the \$200,000 fine to the DEC, the company will pay to fund five full-time positions from an independent organization to oversee the final work on the pipeline. The full-time positions will last for two years. Four of the positions will be for storm water pollution-control specialists, and the fifth will be for a stream-protection biologist.

http://www.riverreporter.com/issues/09-03-05/head3-pipeline.html

4/3/2014

S-1796

INDIVIDUALS

IND464 – Philip Hulbert (cont'd)

Millennium Pipeline agrees to fine, other penalty

Page 2 of 2

IND464-5  
cont'd

The consent order was signed by Richard Leeher, the president of Millennium on February 2, and by DEC commissioner Pete Grannis the next day.

Millennium declined to comment on the consent order.

Problems? Comments? [Contact the Webmaster.](#)  
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<http://www.riverreporter.com/issues/09-03-05/head3-pipeline.html>

4/3/2014

S-1797

**INDIVIDUALS**  
**IND465 – Raymond Lewis**

20140407-5144 FERC PDF (Unofficial) 4/6/2014 8:03:58 PM

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3rd Floor  
Watervliet, New York 12189-4000

**Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR**

IND465-1 | Let's not kid anyone, this pipeline is purely being proposed for gas to be sent overseas, to enhance the profits of Gas companies. Please don't believe that we will benefit.

Raymond Lewis  
Sidney, NY

IND465-1      See the response to comment LA7-5 regarding export of natural gas.

INDIVIDUALS  
IND466 – Jennifer Stinson

S-1799

20140407-5146 FERC PDF (Unofficial) 4/6/2014 8:06:19 PM

April 5, 2014

Jennifer Stinson  
154 S. Meadow Dr.  
Summit, NY 12175

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3rd Floor  
Watervliet, New York 12189-4000

Re: Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR

IND466-1 I would like to address the issue of land devaluation as a result of the pipeline.

The following statements in italics are taken from the EIS pages 4-141-142.

*"If a buyer is looking for a property for a specific use, which the presence of the pipeline renders infeasible, then the buyer may decide to purchase another property more suitable to their objectives. For example, a buyer wanting to develop the land for a commercial property with sub-surface structures would likely not find the property suitable, but a farmer looking for land for grazing or additional cropland could find it suitable for their needs. This would be similar to other buyer-specific preferences that not all homes have, such as close proximity to shopping, relative seclusion, or access to high quality school districts."*

Many landowners who grow food here, do so without herbicides (I am not aware of many vegetables that grow after being sprayed with herbicides), which will be routinely sprayed along the route. These herbicides would be in the run off and will affect vegetables being grown in close proximity to the pipeline, using water from affected streams and ponds. This statement clearly states that the pipeline would not reduce the value of my land if it was going to be used for farming. This is not the case for this geographical area.

IND466-2 *"Several studies examined the effects of pipeline easements on sales and property values and evaluated the impact of natural gas pipelines on real estate. The first study (Diskin et al. in 2011) looked at the effects of natural gas transmission pipelines on residential values in Arizona. The study concluded that there was no identifiable systematic relationship between proximity to a pipeline and residential sale price or value."*

Where is the study done in New York? Arizona is completely different demographically and geographically than New York. A **current** study needs to be done in Upstate New York to prove this statement to be accurate. There is nothing comparable between Arizona real estate and New York real estate. In addition, this study is 3 years old and there have been many pipeline

IND466-1 See the response to comment IND341-12 regarding herbicides. Also see the response to comment IND193-4.

IND466-2 See the response to comment LA5-3 regarding property values, mortgages, and insurance.

# INDIVIDUALS

## IND466 – Jennifer Stinson (cont'd)

20140407-5146 FERC PDF (Unofficial) 4/6/2014 8:06:19 PM

IND466-2  
cont'd

accidents since that time and the opinions of the general public have likely changed as we have become more aware of the risks.

*"Studies conducted in 2008 by PGP Valuation Inc. (PGP 2008) for Palomar Gas Transmission, Inc. and by Ecowest for the Oregon LNG Project reached similar conclusions. Both studies evaluated the potential effect on property values of a natural gas pipeline that was constructed in 2003/2004 in northwestern Oregon, including along the western edge of the Portland metropolitan area. The PGP study found that:*

- there was no measurable long-term impact on property values resulting from natural gas pipelines for the particular pipeline project studied;*
- interviews with buyers and brokers indicated no measurable impact on value or price; and*
- there was no trend in the data to suggest an extension of marketing periods (i.e., time while the property is on sale) for properties with gas pipeline easements.*

*The Ecowest study concluded that the pipeline had no statistically significant or economically significant impact on residential properties. The study also concluded that there was no relationship"*

This study is 6 years old and was done in Oregon by a company based in the state of Washington. The EIS does not show a recent study done in New York or Pennsylvania. New York as well as Pennsylvania is in a different situation as both areas are subjected to or could be subjected to hydro fracking. This possibility or current action causes home or land buyers to have a different opinion than those living in a suburban setting and used to living with industry. No study was provided concerning residents from rural areas who may be subjected to industry on land that is desirable for it natural appeal? There were other studies listed, Ecowest and Hansen from 2006, also from Washington. If the Constitution can use studies done in other parts of the country than I would like to present a case just adjudicated in Texas:

Texas Landowners Win \$2.1 Million Judgment Against Pipeline Company Over Lower Property Value

Case marks third landowner victory in pipeline easement disputes

PR Newswire

Johns Marrs Ellis & Hodge LLP

March 24, 2014 11:05 AM

CLEBURNE, Texas, March 24, 2014 /PRNewswire/ -- North Texas family members have won a \$2.1 million verdict against a pipeline company after their parcel of land lost value because an easement was taken for a gas line. This marks the third time Texas property owners recently have prevailed in similar eminent domain cases.

The Johnson County dispute represents a fundamental debate between the pipeline industry and Texas landowners: Does a pipeline devalue only the narrow easement strip or some larger portion of the overall property? The jury agreed that land outside the easement lost value...

If you need additional information on the lawsuit: For information on the pipeline verdict, please contact Kit Frieden at 800-559-4534 or [kit@androvett.com](mailto:kit@androvett.com).

S-1800

INDIVIDUALS

IND466 – Jennifer Stinson (cont’d)

S-1801

20140407-5146 FERC PDF (Unofficial) 4/6/2014 8:06:19 PM	
IND466-2 cont'd	<p>This is a recent verdict, unlike the selective studies Constitution Pipeline referenced in response to the reduction of property values in this area.</p> <p><i>"We also researched comments received about the potential impact of installation of the pipeline upon the ability to obtain a mortgage or on mortgage rates. We interviewed staff at banks and mortgage companies, but could not confirm that impact would occur."</i></p> <p>What banks did they contact? Were they from New York? Banks have been asked in this area (there are comments made giving specifics from the people who spoke with these institutions), and these banks claimed there <u>would</u> be an issue with getting a mortgage on land that has a pipeline on it.</p> <p>I realize the pipeline does not cross my property. But based on the information I have stated above, there is a very good possibility that the value of my home will be reduced should this pipeline be constructed and it is <b>not addressed in the EIS</b>. If the value of my neighbors land is reduced or cannot be sold it will have a direct effect on the value of my home. As with many people my home represents a large percentage of my wealth. My family has spent many years investing in our home and we were counting on being able to sell it when the time comes so we can move on to retirement without additional debt. If the value of our land goes down or it is not sellable this will not be possible.</p> <p>In conclusion, as an intervener, I do not feel that the effect on land values was properly addressed, and the studies given were insufficient in the EIS and needs to be further studied.</p> <p>Sincerely,</p> <p>Jennifer Stinson</p>



# INDIVIDUALS

## IND467 – Janet Marsh

20140407-5147 FERC PDF (Unofficial) 4/6/2014 9:35:48 PM

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3rd Floor  
Watervliet, New York 12189-4000

Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR

IND467-1

In researching the Draft Environmental Impact Study, I wanted to bring to your attention concerns regarding the Pine Hill reservoir.

This public reservoir is downstream of a proposed crossing. Constitution Pipeline determined the location of the intake associated with this reservoir and plans to cross it via horizontal directional drilling to avoid impacts on the water body and potential potable water intakes. An inadvertent release of drilling fluids is possible as most occur when the drill bit is working near the surface (near the entry and exit points).

The pipeline would cross 0.8 miles of the Pine Hill Reservoir watershed system, including a crossing of a tributary (there are more than one tributary being crossed but only one identified in the DEIS) to the reservoir (identified as DE-1H-S013), which is located 0.6 miles north of the proposed pipeline. The Village of Sidney uses the Pine Hill reservoir as a BACKUP WATER SUPPLY. The Pine Hill Reservoir is 0.6 miles North of MP 54.3.

Although the Pine Hill reservoir is located in the town of Sidney, the village of Sidney is the owner of the Pine Hill reservoir. Besides being the BACKUP WATER SUPPLY for the Village of Sidney, there are many town residents that rely on the Pine Hill reservoir for their PERMANENT WATER SUPPLY. There are no references to citizens relying on the Pine Hill reservoir listed in the environmental impact study submitted by the Constitution pipeline. The criticality of Pine Hill Reservoir being a backup water supply for the Village of Sidney was not treated as such in the DEIS.

IND467-1

Section 4.3.3.2 of the EIS has been revised to denote that some Town of Sidney residents use the reservoir as a primary water supply (for which the intake would be crossed by a HDD). As described in section 2.3.2.2 of the EIS, throughout the drilling process a slurry of naturally occurring, non-toxic/non-hazardous, bentonite clay and water would be pressurized and pumped through the drilling head to lubricate the drill bit, remove drill cuttings, and hold the hole open. This slurry, referred to as drilling mud or drilling fluid, has the potential to be inadvertently released to the surface. Constitution would monitor the pipeline route and the circulation of drilling mud throughout the HDD operation for indications of an inadvertent release and would immediately implement corrective actions if a release is observed or suspected. The corrective actions that Constitution would implement, including the agencies it would notify and the steps it would take to clean up and dispose of a release, are outlined in its Draft HDD Contingency Plan, which is discussed in section 4.3.3 of the EIS. Given that the intake would be 0.6 mile from the proposed crossing, impacts on the reservoir are not anticipated.

S-1802

INDIVIDUALS

IND467 – Janet Marsh (cont’d)

20140407-5147 FERC PDF (Unofficial) 4/6/2014 9:35:48 PM

IND467-1  
cont'd

Local residents who rely on the Pine Hill Reservoir are not on the proposed pipeline route and must be informed . Obviously, this fact about homeowners relying solely on the Pine Hill reservoir was not known nor apparently researched by Cabot Williams. It is NOT in the DEIS. For homeowners with Pine Hill Reservoir as their only water source, nothing less than full disclosure to alert them that a horizontal directional drill will be making way for the insertion of a 30" pipe in their ONLY WATER SOURCE and very probably will compromise their ONLY WATER SOURCE.

Although the Constitution Pipeline people say they don't anticipate problems, YOU SHOULD. How would they mitigate contamination and loss of the Pine Hill Reservoir? That is not addressed in the draft environmental impact study.

# INDIVIDUALS

## IND468 – Karen Detert

S-1804

20140407-5149 FERC PDF (Unofficial) 4/6/2014 9:19:21 PM	
Karen Detert 5824 County Hwy 16 Delhi, NY 13753	
April 6, 2014	
Kimberly D. Bose Secretary Federal Energy Regulatory Commission 888 First Street, NE, Room 1A Washington, DC 20426	
US Army Corps of Engineers New York District, CENAN-OP-R Upstate Regulatory Field Office 1 Buffington Street, Bldg. 10 3 <sup>rd</sup> Floor Watervliet, New York 12189-4000	
Re: Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR	
IND468-1	I am writing to state my opposition to the Constitutional Pipeline and highlight some of my objections.
IND468-2	<p>The actual need for the Constitution Pipeline, and the intended use of this pipeline should be questioned and not be taken 'prima facie' as it is in the Proposed Action section of the Executive Summary FERC DEIS on page one where it is stated "According to Constitution, the proposed pipeline project was developed in response to natural gas market demands in the New York and the New England areas . . . . . ." The pipeline is marketed to American consumers under false pretenses. The demand, if you want to call it that, is the demand for profits in the private industry sector and not for the benefit of the American consumer. Pipelines may bring down per-unit costs and increase capacity but the major benefactors are producers, processors and royalty owners. Transportation via pipeline will enable more exports of natural gas to higher-paying European markets and will have little impact on preventing shortages for American customers who will be left with restricted fuel usage. Not only is the pipeline bad for consumers but it also threatens our communities and the environment.</p> <p>And who is left holding the bag while industry aggressively pursues profits? It is landowners on whose property the pipeline will transverse, the community who along with the landowners must endure the dangers and construction of the pipeline, and the ecological landscape that will be compromised.</p>
IND468-3	While the DEIS appears to be complete there exists far too many instances where FERC <i>recommends</i> additional mitigation to minimize or avoid impacts as compiled in Sections 5.1 and 5.2. Certainly these recommendations must be acknowledged and carried out before a decision can be made and FERC gives a nod to that fact. FERC must not waver on this point even though Constitution Pipeline is ready to proceed and proudly displays on their web site photos with the heading " <i>First sections of Constitution Pipeline arrive in New York.</i> "
IND468-4	FERC also has a responsibility to obtain necessary information that has been identified as missing before a decision can be made about significant environmental impacts. The NY Department of Environmental Conservation in a March 24 letter identified at least 10

IND468-1	The commentor's statements in opposition to the proposed projects are noted.
IND468-2	See the response to comment IND10-5 regarding benefits. See the response to comment IND13-3 regarding safety. See the response to comment CO1-1.
IND468-3	See the response to comment LA10-1. See the response to comment IND54-1 regarding delivery of pipe segments.
IND468-4	See the response to comment FA1-1.

# INDIVIDUALS

## IND468 – Karen Detert (cont'd)

S-1805

20140407-5149 FERC PDF (Unofficial) 4/6/2014 9:19:21 PM	
IND468-4 cont'd	environmental plans still missing from the document, including slope stability analyses, impacts on water bodies and forests, plans for water withdrawals, and surveys for state-listed threatened and endangered species. Trout Unlimited, a fisheries conservation group, has stated that among the information that should be included in the DEIS but was not, are "site-specific blasting plans that include protocols for in-water blasting and the protection of aquatic resources and habitats."
IND468-5	Other information that is missing is the study of short and long term affects of perpetually warming 124.4 miles of corridor that could create a microclimate ad increase potentially harmful and invasive insects (an example being disease carrying ticks) along with warming the cold water tributaries that support our trout habitat.
IND468-6	I also respectively submit that FERC reject the use of defoliant used to clear the proposed pipeline pathway or at the very least reopen that discussion for further consideration. The use of defoliant presents the danger of acute health effects of community exposure and endangers adjacent trees and plants.
IND468-7	Only 99% or 11.2 miles of the project would be within or adjacent to existing easements. The amount of land that will be taken by eminent domain is unconscionable.
IND468-8	In conclusion as a land owner in Delaware County I disagree with FERC's conclusion "that the construction and operation of the projects would result in limited adverse environmental impacts." The environmental impacts go way beyond "limited" and cannot be mitigated. I advocate for the "no-action" alternative, which would eliminate the environmental impacts totally. And I look to alternative renewable energy sources because the user markets in the DEIS have not been accurately determined and the local value of the pipeline to the community has not been established.
Sincerely,	
Karen K Detert	

IND468-5	See the response to comment IND163-1.
IND468-6	See the response to comment IND341-12 regarding defoliant.
IND468-7	The commentor's statements regarding eminent domain are noted. See the response to comment FA8-3 regarding eminent domain.
IND468-8	The commentor's statements regarding the proposed projects are noted. Section 3.1.2.3 of the EIS provides a discussion of renewable energy.

# INDIVIDUALS

## IND469 – Raymond Lewis

20140407-5151 FERC PDF (Unofficial) 4/6/2014 8:22:05 PM

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3rd Floor  
Watervliet, New York 12189-4000

Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR

IND469-1

**This subject of "mitigation " is quite a joke. Supposedly a lost wetland can be "mitigated" by Constitution buying a new ambulance for the town's emergency services. This does not come under the true meaning of " mitigation".**

**Also, wetlands are in their present location to serve a specific purpose. Creating a fake, useless new water holding body is worthless to the environment.**

Raymond Lewis  
Sidney, NY

IND469-1

As stated in section 4.4.5 of the EIS, Constitution would mitigate impacts on wetlands in New York by restoring existing wetlands, enhancing the quality of existing wetlands, creating (establishing) wetlands, or preserving existing wetlands. There is no connection whatsoever between wetland mitigation and funding for town emergency services. In Pennsylvania, Constitution has preliminarily identified a wetland mitigation opportunity that would provide "in-kind" mitigation for unavoidable impacts caused by the pipeline project and resulting in no net loss of wetland function or area. We agree that creating a fake, useless new water holding body would be pretty much worthless to the environment.

S-1806

# INDIVIDUALS

## IND470 – Glen and Laura Bertrand

Glenn and Laura Bertrand  
465 Rose Lane  
Davenport, New York  
13750

April 6, 2014

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3<sup>rd</sup> Floor  
Watervliet, New York, 12189-4000

Re: Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR

- IND470-1

We are landowners directly affected by the proposed Constitution Pipeline and registered interveners. We are opposed to the construction of the Constitution Pipeline.
- IND470-2

We believe that the Draft Environmental Impact Statement, (DEIS), as published, is incomplete and does not adequately or factually address issues that are relevant to the surrounding area, as well as our own property.
- IND470-3

Constructing the pipeline right of way across our property will require the clear-cutting of approximately 1,500 trees through an upland forest. Approximately 29% of the entire pipeline route is forested land. Section 5.2 of the DEIS, FERC Staff's Recommended Mitigation states prior to the end of the Draft EIS comment period Constitution shall file an Upland Forest Mitigation Plan. There is currently no Upland Forest Mitigation Plan published.
- IND470-4

Clear-cutting trees and other vegetation will further destabilize already unstable soils, providing a pathway for storm water runoff and an increase of erosion. According to the NYSDEC Forest Stewardship Plan written for our property in 2006, the pipeline would be located in a Halcott/Mongaup/Vly Soil Complex. This soil is characterized by "steep slopes and a shallow depth to bedrock. A severe erosion hazard exists whenever this soil is disturbed. Grading activities typically require large amounts of cut and fill with costly blasting and removal of bedrock." We are concerned that the pipeline right of way will provide a runoff conduit to the creek crossing Rose Lane at its intersection with Parker Schoolhouse road. This creek has washed out a culvert at this location twice, most recently in June of 2006. Storm runoff damage to local roads is one of the concerns stated in the Town of Davenport's March 18, 2014 "Davenport Resolution Opposing Permitting of the Constitution Pipeline". We believe that this issue was largely ignored by the DEIS.
- IND470-5

Permanent access roads, (PAR), will be required for the construction and maintenance of the pipeline and right of way. One of these roads, PAR 56, is proposed approximately 3/10 of a mile from our property. These roads will allow snowmobiles, dirt bikes, ATVs, hunters and trespassers to access the pipeline right of way. This will result in a loss of privacy to those living along the pipeline route.

- IND470-1

The commentor's statements in opposition to the proposed projects are noted.
- IND470-2

See response to comment FA1-1.
- IND470-3

See the response to comment FA4-29 regarding Constitution's draft upland forest mitigation plan.
- IND470-4

See the response to comments CO1-4 and IND169-1.
- IND470-5

See the response to comment IND9-5 regarding unauthorized use of the right-of-way.

# INDIVIDUALS

## IND470 – Glen and Laura Bertrand (cont'd)

IND470-6 | The stone wall boundaries that provide access control will be destroyed. Stone walls have historical significance and add to the intrinsic value of the property. These issues have not been adequately addressed.

IND470-7 | Our property has been in our family for 56 years. During this time over 13,000 trees and 100s of shrubs were planted by several generations of our family. Our grandfather, Thomas Kelaher, was named non-farmer conservationist of the year in 1974 by the Delaware County Soil and Water Conservation District. We are continuing his legacy in developing the land for wildlife habitat, timber and forest product production while maintaining rural aesthetics. We plan to use the timber and forest products to generate income when we retire. Constitution Pipeline has classified their easement route bisecting our property as “vacant” land of little value. No offer of compensation can equal the value that we place upon our land. For the FERC to consider allowing the taking of any land through eminent domain by a private, for profit company is unconscionable and blatantly wrong.

IND470-8 | We urge the FERC to do its job as a regulator and issue an order denying Constitution Pipeline’s application for construction. A private company that is disrespectful of landowners and uses deception, bullying, and intimidation to achieve its goals does not deserve this consideration. The FERC must balance the need for the pipeline versus the landowners’ property rights and decide against this project.

Sincerely,  
Glenn and Laura Bertrand

IND470-6 | The stone walls are discussed in section 4.10 of the EIS. To the extent possible, Constitution has routed its pipeline to avoid these walls.

IND470-7 | See the response to comment FA8-3 regarding eminent domain. As discussed in section 4.9.5 of the EIS, landowners would be compensated for any marketable timber that is removed from their property during construction.

IND470-8 | The commentor’s request to deny the proposed projects is noted.

# INDIVIDUALS

## IND471 – Michael Stolzer

20140407-5153 FERC PDF (Unofficial) 4/6/2014 8:22:22 PM	
IND471-1	<p>From Cabot Oil &amp; Gas' Investor Presentation <a href="http://www.cabotog.com/wpcontent/uploads/2013/12/December-2013-Company-Update.pdf">http://www.cabotog.com/wpcontent/uploads/2013/12/December-2013-Company-Update.pdf</a> It is crystal clear that they intend to increase drilling capacity from 2 wells per pad to 10 wells per pad in the Marcellus. Additionally they state that they plan to "Expand Core Acreage Positions in the Marcellus..." and "Accelerate Development of our Marcellus... Programs" If, in fact, environmental impacts of the proposed Constitution Pipeline are to be adequately considered, I believe it is imperative that the degree to which this project would facilitate and encourage increased drilling in the Marcellus in Pennsylvania be taken into account. The necessity to conduct a full study of environmental impacts as a result of build-out likely to occur over time if this project were completed is unavoidable, and cannot be denied.</p> <p>Similarly, an environmental impact study of this proposed project must include potential build-out in NYS. Williams and its subsidiaries are currently seeking to build a gathering line in the Southern Tier of NY. Their intentions to extract gas from NY's Marcellus, should the opportunity arise, are evident in the excerpted heading, below, from a letter from NYS DEC to the NYS Dept. of Public Service.</p> <p><i>New York State Department of Environmental Conservation                      Joe Martens Commissioner</i></p> <p><i>Division of Environmental Permits, 4th Floor 625 Broadway, Albany, NY 12233-1750 Phone: (518)402-9167 Fax: (518) 402-9168 Website: <a href="http://www.dec.ny.gov">www.dec.ny.gov</a></i></p> <p><i>Hon. Kathleen H. Burgess Secretary, NYS Department of Public Service Three Empire State Plaza Albany, NY 12223-1350</i></p> <p><i>February 19, 2014</i></p> <p><i>Attn: John Strub</i></p> <p><i>Joe Martens Commissioner</i></p> <p><i>Re: Case No. 13-T-0538 Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII of the Public Service Law to construct an approximately 9.5-mile <u>natural gas gathering pipeline</u>, New York Mainline Loop Natural Gas Pipeline Project in the Town of Windsor, County of Broome, New York</i></p> <p>Their intentions of constructing infrastructure in anticipation of a change in NYS Law is clearly stated. It would be not only naïve, but blatantly negligent to omit a thorough environmental impact analysis of a full build-out of well sites, gathering lines, compressor stations, access roads, water collection, road deterioration and repair, etc. along the entire route of the proposed project, as requested by the DEC.</p>

IND471-1

See the responses to comments LA1-4 and FA4-45 regarding hydraulic fracturing. The New York Mainline Loop referenced by the commentor would not fall under the FERC jurisdiction. This project has been added to the cumulative impacts section 4.13 of the EIS.



INDIVIDUALS  
IND472 – Wayne Stinson

S-1810

20140407-5155 FERC PDF (Unofficial) 4/6/2014 9:04:11 PM

April 5, 2014

Wayne A. Stinson  
Stinson Lock Service, Inc.  
154 S. Meadow Dr.  
Summit, NY 12175

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3rd Floor  
Watervliet, New York 12189-4000

Re: Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR

IND472-1

The FERC is responsible for deciding whether or not there is a sufficient need to Constitution Pipeline. The EIS is designed to address the environmental impact.  
  
Discussions, planning, and future investment should address the most important need, to drastically reduce the use of fossil fuels. We need to think long term. The negative environmental affects just from the continuing buildup of fossil fuel infrastructure are unacceptable, that's not even considering actually burning the fossil fuel.  
  
Fossil fuel is a short term answer to the "grow the economy" approach that our government has adopted, which cannot work for much longer. Things can only get so big before they collapse or fail. As a leading world power we need to come up with a long term sustainable plan not just put a band aid on a gushing wound. Our money and efforts would better serve us to remember what we absolutely need to survive, clean air, clean water, and for the Earth's climate to not change so drastically. The Constitution Pipeline does not help us with any of this. Therefore there is not a sufficient need.

IND472-2

No matter how you cut this up, the gas being transported through this proposed pipeline will mostly be coming from existing hydro fracking or future hydro fracking. The statement made in the EIS report, 4.13.5.10 – Air quality and noise "Impacts from the project are not expected to result in a significant impact on local or regional air quality", must be re-examined. It is not just the pipeline but what comes with it, where the gas is coming from and how we get the gas. Building another pipeline to fill will require more wells to be drilled.

IND472-1      See the response to comment LA7-5 regarding need.

IND472-2      See the response to comment LA1-4 and FA4-45 regarding hydraulic fracturing.

INDIVIDUALS

IND472 – Wayne Stinson (cont’d)

20140407-5155 FERC PDF (Unofficial) 4/6/2014 9:04:11 PM

IND472-2  
cont'd

The air quality around all existing hydro fracking wells must be studied long and hard. As should the water quality, noise impacts and possible climate change effects, before this proposed pipeline is given approval.

IND472-3

As an intervener, I do not feel that the effect on air quality and noise was properly addressed, and the statements given were insufficient in the EIS and needs to be further studied.

Sincerely,

Wayne A. Stinson

Stinson Lock Service, Inc.

IND472-3      The commentor’s statements regarding the air and noise sections of the EIS are noted.

**INDIVIDUALS**  
**IND473 – Raymond Lewis**

20140407-5148 FERC PDF (Unofficial) 4/6/2014 8:07:42 PM

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3rd Floor  
Watervliet, New York 12189-4000

**Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR**

IND473-1

This pipeline is definitely going to have Fracking feeder lines going into it. In fact if you track the proposed pipeline route, interestingly, it very often coincides with those landowners that have signed leases with fracking companies. A Constitution representative admitted to me that , "I can not guarantee that fracking feeder lines will not eventually feed into the Constitution pipeline." She may as well said,"Of course they will. It is only a matter of time."

Raymond Lewis  
Sidney, NY

IND473-1

See the responses to comments LA1-4 and FA4-45 regarding hydraulic fracturing.

S-1812

# INDIVIDUALS

## IND474 – Raymond Lewis

20140407-5150 FERC PDF (Unofficial) 4/6/2014 8:16:18 PM

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3rd Floor  
Watervliet, New York 12189-4000

**Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR**

IND474-1 | There is no way that all the water bodies this Constitution pipeline disturbs, if not destroyed, will ever come back. They will be totally sterilized water bodies. What's the mediation for our water?

Raymond Lewis  
Sidney, NY

IND474-1      The commentor's statement regarding waterbodies is noted. As stated in section 4.3.4 of the EIS, no long-term impacts on surface waters are anticipated as a result of the proposed projects because Constitution would not permanently affect the designated water uses, it would bury the pipeline beneath the bed of all waterbodies, it would implement erosion controls, and it would restore the streambanks and streambed contours as close as practical to pre-construction conditions. The pipeline would not introduce any sterilization agents into the environment.

S-1813

**INDIVIDUALS**  
**IND475 – Joan Tubridy**

20140407-5156 FERC PDF (Unofficial) 4/6/2014 9:02:11 PM

Joan Tubridy  
996 Monroe Road  
Delhi, NY 13753

April 6, 2014

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3rd Floor  
Watervliet, New York 12189-4000

Re: Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR

Dear Secretary Bose, FERC, and Kevin J. Bruce, USACE:

IND475-1 Following are comments that I delivered in part at the Oneonta FERC Hearing on April 1, 2014.

I am an elementary school teacher and former farmer living in the Town of Meredith, approximately six miles from the proposed "Constitution" Pipeline route. I'd like to talk about jobs: those "Constitution" has advertised in order to garner support for their project from the union workers they bussed into the FERC hearing last week, jobs that are threatened by and inconsistent with a high-pressure gas pipeline running through our rural greenfield, and my plug encouraging FERC to rise to the new demands on your job evolving from a rapidly changing climate.

Everyone knows we need jobs. "Constitution" has promoted the benefits of creating 1300 jobs, though a closer look reveals that only half will be from in-state (including PA), with only half of those, or 325 eight-month jobs, from the five impacted counties. This *might* mean 65 *very temporary* jobs to each of the counties along the route. Bear in mind these jobs are created through the theft of our neighbor's property. Of course, "Constitution" doesn't have to be concerned with that because they're not our neighbors. In fact, they're happy to frack our neighbors in Pennsylvania to swell their bottom line by shipping gas through our region, to urban centers, the coastline, Canada, and beyond. Nothing neighborly about that.

So let's talk about other jobs that are sustainable, enduring, and community-based, many of which will be threatened if the pipeline and the fracking that's sure to follow, moves forward. Jobs ranging from large scale traditional farms such as the Stanton farm in Schoharie County whose three generations are stressed daily by the prospect of a pipeline bisecting their farm; jobs in nontraditional, niche farming with enthusiastic folks eager to revitalize an industry in decline; hops growers and microbrewers; wine makers; restaurants; and Main Street shops that serve both tourists and local people who know that the multiplier effect of buying local generates a far greater local circulation of revenue.

IND475-2 The promise of cheap gas for our homes and communities not only diverts attention and funding from renewable energy initiatives and jobs for those being trained in the installation of these

IND475-1 See the response to comment IND205-1 regarding jobs. See the response to comment FA8-3 regarding eminent domain. Potential impacts and mitigation on tourism are discussed in the EIS in section 4.9.2. See the response to comment LA1-4 and FA4-45 regarding hydraulic fracturing.

IND475-2 Section 3.1.2.3 of the EIS provides a discussion of renewable energy. See the response to comment IND205-3 regarding gas prices. See the response to comment LA7-5 regarding export of natural gas. See the response to comment LA5-3 regarding property values.

S-1814

# INDIVIDUALS

## IND475 – Joan Tubridy (cont'd)

S-1815

20140407-5156 FERC PDF (Unofficial) 4/6/2014 9:02:11 PM

IND475-2  
cont'd

systems such as SUNY Delhi's programs, but it's also a false promise. How long before 'cheap' gas becomes expensive gas due to competition from global markets? After all, both Iroquois and Tennessee Gas Pipelines, slated to connect with "Constitution" in Schoharie County, have published plans to export this gas north to Canada and east to Atlantic Canada.

Energy Independence ... or Energy-to-the-Highest-Bidder?

While taxes collected from the pipeline for local counties have been highlighted by proponents of this project, the offset of property devaluation and reduced revenues from landowners' grieving the devaluation of their property with local assessors have not been considered.

IND475-3

But I digress (easy to do with the laundry list of 'wrongs' with this pipeline project); back to jobs. According to FERC's Strategic Plan revised last March, FERC's Mission, **your job**, is to ensure reliable, efficient, and sustainable energy for consumers by, among others ... "promoting the development of safe, reliable and efficient energy infrastructure that serves the public interest."

FERC recognizes the potential of electricity generated from renewables as cost-effective means of reducing greenhouse gas emissions by allowing these renewables to compete on a level playing field through changes in market rules, ancillary services, and policies that support integration of renewable resources. Your long-term goals are to allow renewable resources to compete, to be explored, and to be implemented.

But time is short and long-term goals must become short-term goals. This is **your job**, one that in light of this week's report from the Intergovernmental Panel on Climate Change (<https://www.ipcc.ch/report/ar5/wg1/>), a 2,600-page report based on more than 12,000 peer-reviewed scientific studies, demands a reversal from business as usual toward urgent action. Climate change will worsen existing problems and jeopardize regular economic growth and more efficient crop production. ... increasing "the likelihood of severe, pervasive, and irreversible impacts." One of the report's co-authors, Romero-Lankao of the National Center for Atmospheric Research in Colorado said, "We have a closing window of opportunity. We do have choices. We need to act now."

**Your job** is to act now based on these realities. History will be the judge of your job performance.

Thank you for your earnest consideration of my comments.

Sincerely,  
Joan Tubridy

IND475-3

Section 3.1.2.3 of the EIS provides a discussion of renewable energy. See the response to comment SA6-1 regarding climate change.

INDIVIDUALS

IND476 – Michael L. Stolzer

20140407-5157 FERC PDF (Unofficial) 4/6/2014 8:24:03 PM

IND476-1 | I request that the comment periods be extended as per the letter to Secretary Bose and Ms McDonald dated March 24, 2014 from Patricia Desnoyers of the NYS DEC.

IND476-1      See response to comment FA1-1.

INDIVIDUALS  
IND477 – Raymond Lewis

20140407-5159 FERC PDF (Unofficial) 4/6/2014 8:53:57 PM

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3rd Floor  
Watervliet, New York 12189-4000

Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR

IND477-1 | The Constitution Pipeline will have hundreds and hundreds of miles of wide swaths of "right-of-way" land that has to be maintained. How is this done? It is accomplished by massive usage of herbicides, the primary herbicide being glyphosate (RoundUp). The latest scientific research shows that glyphosate does not become inert, as it's manufacturer states, but rather stays active and can continuously seep into the underlying water bodies. Glyphosate can also become airborne for miles, and has been proven to be carcinogen.

IND477-2 | Everyone's quality of life also suffers in another way from these right-of-ways. They become frequently used thoroughfares for sound-deafening ATV's, Dirt bikes, and snowmobiles. The noise these things make, 24/7/365 is intolerable. Constitution states that they will not address that issue at all.

Raymond Lewis  
Sidney, NY

IND477-1      See the response to comment IND341-12 regarding herbicides.

IND477-2      See the response to comment IND9-5 regarding unauthorized access to properties from the right-of-way.

S-1817



**INDIVIDUALS**  
**IND478 – Raymond Lewis**

20140407-5158 FERC PDF (Unofficial) 4/6/2014 8:57:45 PM

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3rd Floor  
Watervliet, New York 12189-4000

Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR

- IND478-1
- IND478-2
- INSUFFICIENT EMERGENCY SERVICE STAFF AND EQUIPMENT.  
There is not one village, town, or municipality that is anywhere near capable of handling a major explosion and resultant catastrophic fire. There will also be tons of carcinogenic particles and gases released in the air and blown for miles, to be inhaled by thousands of innocents.

Raymond Lewis  
Sidney, NY

- IND478-1
- IND478-2
- See the response to comment LA1-6 regarding emergency services.
- See the response to comments CO41-21 and IND13-4 regarding air quality. See the response to comment IND9-5 regarding unauthorized access.

**INDIVIDUALS**  
**IND479 – Raymond Lewis**

20140407-5160 FERC PDF (Unofficial) 4/6/2014 8:32:14 PM

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3rd Floor  
Watervliet, New York 12189-4000

Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR

IND479-1 First, there is no need in this country for additional gas. It is all going overseas. Eminent Domain cannot be used as it is impossible that the stealing of people's land, the total disruption of people's lives, can be shown to be in the public interest. This project is not for the greater good – it is for the greatest greed, Cabot-Williams pipeline corporation.

IND479-2

Raymond Lewis  
Sidney, NY

IND479-1 See the response to comment LA7-5 regarding export. See the response to comment FA8-3 regarding eminent domain.

IND479-2 See the responses to comments CO50-55 and LA7-5 regarding our analysis of the projects' benefits and the Applicants' stated need.

INDIVIDUALS

IND480 – Raymond Lewis

20140407-5161 FERC PDF (Unofficial) 4/6/2014 8:49:56 PM

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3rd Floor  
Watervliet, New York 12189-4000

Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR

IND480-1

INSURANCE AND MORTGAGE CONCERNS.  
It would behoove the Commission to inquire with mortgage and insurance companies concerning the ramifications to property owners concerning receiving insurance and mortgages on property with pipelines. Some insurance companies are refusing to renew home insurance policies, or write new ones for new home owners. Mortgage companies are not willing to write mortgages for buyers, or do re-mortgages for land owners, with pipelines on their property. This has major financial impacts across the board. Please give the utmost attention to this matter. Thank you.

Raymond Lewis  
Sidney, NY

IND480-1

See the response to comment LA5-3 regarding property values, mortgages, and insurance.

INDIVIDUALS

IND481 – Raymond Lewis

20140407-5162 FERC PDF (Unofficial) 4/6/2014 8:41:37 PM

This comment has been twice by the same individual

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3rd Floor  
Watervliet, New York 12189-4000

IND481-1

If one takes the time to research the number of gas explosions across the country, it is astronomical. Of course the gas-backed media fails to report most of them. Unbelievably, this Constitution pipeline has no, or minimal setbacks, to people's homes, barns, and buildings, thus putting them in the "Burn Zone." Rural communities are deemed areas of lowest consequence, which translates to collateral damage to Cabot Williams. Cabot Williams, a company who fails miserably given their safety history.

Raymond Lewis  
Sidney, NY

IND481-1      We are not sure what the commentor is referring to by “gas backed media,” as industrial incidents of various types are reported by newspapers, television news, and internet sites. A vast majority of natural gas incidents involve local distribution lines that are not regulated by FERC. See the response to comment IND13-3 regarding safety. See the response to comments IND242-1 and IND292-8 regarding setback distances. See response to comment CO47-1.

INDIVIDUALS  
IND482 – Brian Crabtree

S-1822

20140407-5165 FERC PDF (Unofficial) 4/7/2014 8:18:47 AM	
IND482-1	brian crabtree, delhi, NY. I strongly oppose the construction of the proposed pipeline. I live within a dozen miles of the currently proposed path.
IND482-2	The environmental report is grossly inadequate. Site-specific impacts need to be examined as a broad approach to the entire length does not respect the substantial differences in ecosystems along the route.
IND482-3	More specific information on proposed remediation processes are necessary. There would be a massive disturbance in construction areas and more needs to be disclosed on the proposed restoration process.
IND482-4	The environmental report should incorporate an impact study of hydro-fracturing, as the existence of this pipeline facilitates drilling in the immediate area surrounding the route. This has been stated by the DEC. The route specifically passes through townships and municipalities that do not have a hydro-fracking ban in place.
IND482-5	This pipeline is not in the public interest-- not a convenience or a necessity. On the contrary it will generate income for a few corporations while offering only a handful of short-term jobs to the local communities. Permanent environmental degradation will be left behind and the next phase of dangerous gas extraction will be one step closer.  I strongly oppose the construction of the proposed pipeline.

- IND482-1      The commentor’s statements in opposition to the proposed projects are noted.
- IND482-2      As stated in section 1.2 of the EIS, the data presented in the EIS were obtained from several sources including desktop sources such as scientific literature and regulatory agency reports as well as field data collected by Constitution and Iroquois. If the necessary access cannot be obtained through coordination with landowners and the proposed projects are certificated by the FERC, Constitution may use the right of eminent domain granted to it under section 7(h) of the NGA to obtain a right-of-way. Therefore, if the projects are certificated by the Commission, then it is likely that a substantial number of the outstanding surveys for Constitution’s project (and associated agency permitting) would have to be completed after issuance of the certificate. This is not unusual for projects of this type.
- IND482-3      See the response to comment CO1-2.
- IND482-4      See the responses to comments LA1-4 and FA4-45 regarding hydraulic fracturing.
- IND482-5      See the responses to comments CO50-55 and LA7-5 regarding our analysis of the projects’ benefits and the Applicants’ stated project need. The commentor’s opposition to the proposed projects is noted.

# INDIVIDUALS

## IND483 – James A. Sikora

S-1823

20140407-5167 FERC PDF (Unofficial) 4/7/2014 8:59:46 AM	
IND483-1	<p>James A. Sikora, Oneonta, NY.</p> <p>Eminent Domain: The right of a government or it's agent to expropriate private property for public use, with payment of compensation. The question here is what public use. Which overseas public will benefit from this pipeline. China? Eastern Europe? Not ours. The portion of public this pipeline intends to invade, certainly will not benefit. Nor will the ones with wells at it's hydrofracturing source.</p> <p>This is a proposed pipeline for hydrofracked gas to be transported to other countries for the profit and benefit of the gas companies and their employees, no matter what there misinformation says.</p> <p>The potential dangers of the project have been abundantly made aware of to the public, including accidents, fires, explosions water pollution, geo structural problems, etc. It is an industry laden with problems. Ask the tenants of the Bronx neighborhood where a gas explosion leveled a five story apartment building how safe they feel. And they were actually able to smell the leak and report it, a luxury not afforded the rural community, as the gas companies are not required to scent their product in a rural zone. Ask the people in Pennsylvania, who can heat their houses through their water faucets, if they think this pipeline is necessary for the benefit of the public.</p>
IND483-2	<p>The impact on the individual land owners in the path of this project, is not limited to the potential aforementioned catastrophes. Decreasing land values, securing mortgages, and increasing insurance rates have been documented, and can be added to the list</p>
IND483-3	<p>Personally, the projected path of this pipeline brings the outermost easement within 35 feet of my water well. Excavating this close could have devastating effect on the springs feeding my well. I have always had a constant supply and have never run dry, even in the years of extreme drought. It is one of those things I have been very grateful for..I therefore will be preserving my right to sue for damages, should any occur if this project is approved, and will not be making any easement deals with the pipeline company.</p>
IND483-4	<p>When you vote on this project, vote as if it were coming through your back yard, 100 feet from your kid's swing set (just about where it will be from my yard) And don't be like ExxonMobil CEO, Rex Tillerson, promoting hydrofracturing on one hand, lashing out at critics and regulators saying "this type of dysfunctional regulation is holding back the American economic recovery, growth, and global competitiveness, and on the other hand realizing the consequences of this technology on roads, noise levels, traffic hazards, etc., has joined in a lawsuit to stop a gas project from coming on his land. Through all the rhetoric, I guess this shows his real feelings on the subject, when he becomes part of the "public good"</p> <p>Do what's best for the public you're tasked to protect, and vote down this project. James A. Sikora 882 Rich Road, Oneonta, N.Y. 13820</p>

IND483-1	See the response to comment CO50-55 and LA7-5 regarding benefit, need, and export. See the response to comment IND13-3 regarding safety and comment IND135-3 regarding the incident in Harlem. See the response to comments LA8-3 and IND116-1 regarding water quality. Local distribution lines are typically very low pressure, and odorization helps in leak detection. High pressure transmission lines are completely different. Odorization would provide little to no benefit.
IND483-2	See the response to comment LA5-3 regarding property values, insurance, and mortgages.
IND483-3	The commentator's statement regarding signing an easement is noted. See the response to comment LA4-2 regarding water well testing.
IND483-4	See the responses to comments LA1-4 and FA4-45 regarding hydraulic fracturing. The commentator's request to deny the proposed projects is noted.

# INDIVIDUALS

## IND484 – Maria Luisa Tasayco

20140407-5170 FERC PDF (Unofficial) 4/7/2014 9:02:07 AM	
Maria Luisa Tasayco, New York, NY. Dear Sir/Madam,	
IND484-1	We should avoid increasing the extraction of fossil fuels with high Carbon footprint like cleaning the Canadian tar sands as well as performing Horizontal Hydrofracking of oil and natural gas. Those procedures require an infrastructure with a 5% chance of immediate failure in casing (concrete protection to leaks through pipelines). Thus, spills accidents of Canadian tar sands like that in Mayflower will happen more often via the Keystone XL pipeline, natural gas explosions like the recent one in Manhattan, NY will also happen more often with an increased used of natural gas from Pennsylvania's shale (the natural gas coming from shale could raise levels of radioactive Radon in New York's kitchen gas).
IND484-2	The Constitution pipeline is JUST ONE of the multiple points of invasion into New York from the natural gas industry. People's homes are under threat of eminent domain and damage from air, water, and noise pollution, deforestation, mud slides (like in Washington), and more. I am a concerned citizen, I demand an end to fossil fuel infrastructure. The existing infrastructure should be THE LAST GENERATION of its kind.
IND484-3	I demand that the fossil fuel infrastructure to be replaced it with renewable infrastructure. In fact, current research demonstrate that New York State can ends its dependence on fossil fuel by renewable energy (water, wind, solar) in 30 years.
Sincerely,	
Maria Luisa Tasayco, PhD Emerita Professor of Chemistry/Biochemistry from CCNY and The Graduate Center of CUNY email: mltj@figueirido.net	

IND484-1	The proposed project would transport natural gas, not oil. See the responses to comments LA1-4 and FA4-45 regarding hydraulic fracturing. See the response to comment IND13-3 regarding safety and comment IND135-3 regarding the incident in Harlem.
IND484-2	See the response to comment FA8-3 regarding eminent domain. See the response to comment CO1-2. See the response to comments CO1-4 and IND169-1 regarding erosion. The commentor's statements regarding fossil fuels are noted.
IND484-3	Section 3.1.2.3 of the EIS provides a discussion of renewable energy.

INDIVIDUALS

IND485 – Kelli Cain

20140407-5174 FERC PDF (Unofficial) 4/7/2014 9:03:12 AM	
IND485-1	<p>kelli cain, delhi, NY.</p> <p>As a resident, land owner, business owner, and caretaker of Nubian goats, chickens and apple orchards in Delaware County NY, I wholeheartedly oppose the construction of this pipeline. I am surprised to see an EIS provided by the FERC that does not fully address future impacts that the Constitution Pipeline will invariably have on existing businesses in upstate NY. Examining the pipeline alone ignores the underlying industrial move to bring fracking to this area- an environmental hazard too complicated and too dangerous to leave out of this discussion and out of this EIS. The promise of a local economic boom is a point that becomes mute when the industry that comes in forces a large number of the diverse local businesses out. Farmers, beer purveyors, and tourism based establishments are just a few examples of businesses that will be effected and some have already warned that they will relocate if fracking comes to pass. My husband and I, for example, will be forced to take our small business elsewhere. No amount of cheap gas will cover the cost of a degraded environment or polluted water source, especially for those of us whose day to day relies on it.</p> <p>The EIS fails to properly analyze the matter in its entirety. Issuing a building permit based on a segmented portion of the proposed plan offered by Williams and Cabot is not only short sighted but shockingly in the interest of industry over the public good.</p>

IND485-1      The commentor’s opposition to the proposed projects is noted. See the response to comments LA1-4 and FA4-45 regarding hydraulic fracturing. Potential impacts and mitigation on tourism are discussed in the EIS in section 4.9.2.



INDIVIDUALS

IND486 – Dianne Sefcik

Dianne Sefcik, Registered Intervenor  
194 Clickman Rd  
Westerlo, NY 12193

April 4, 2014

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3rd Floor  
Watervliet, New York 12189-4000

Re: Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR

**Comment: The DEIS has incomplete information regarding slope analysis**

IND486-1

Excerpt from the DEIS:

Section: ES-3 Executive Summary, Geology and Soils

*"The primary effect of construction of the projects on geologic resources would be disturbances to steep topographic features found along the construction right-of-way. A well-defined landslide feature was identified in the area of milepost 30.3 of the pipeline route, for which Constitution intends to perform a formal slope stability analysis. Since the potential hazards associated with the proposed route through this area has not been quantified, we are recommending that Constitution file the results of the formal slope stability analysis at MP 30.3."*

This section is an example of incomplete information in the DEIS. Slope stability analysis should be done independently, not by Constitution, a party with a conflict of interest in the outcome. This independent slope stability analysis should be part of a substantially revised DEIS. Otherwise FERC decision makers are pushing this through without due diligence and full disclosure of geologic impacts.

Sincerely,

Dianne Sefcik

IND486-1

See the response to comments FA1-1 and CO52-1.

# INDIVIDUALS

## IND487 – Mark VanLaeys

20140407-5180 FERC PDF (Unofficial) 4/7/2014 9:46:03 AM

IND487-1 Mark vanLaeys, Oneonta, NY.  
IND487-2 I am against the Pipeline that is highly likely to increase pollution of many  
IND487-3 kinds directly and indirectly all along it's 125 mile course. It will decrease  
IND487-4 property values permanently and create significant jobs for the short term only.  
IND487-5 There will be no significant local compensation for those that give up the most.  
IND487-6 Humans can be counted on to take short cuts especially when big money is  
IND487-7 involved. Obviously with enormous amounts of gas under high pressure large scale  
IND487-8 disasters can be just a spark away.  
IND487-9 Just another case of the big guy with the big bucks walking all over the little  
IND487-10 guy and his American Dream.

- IND487-1 The commentor’s statements in opposition to the proposed projects are noted.
- IND487-2 See the response to comment LA5-3 regarding property values. See the response to comment IND205-1 regarding jobs.
- IND487-3 See the response to comment FA8-3 regarding compensation of landowners.
- IND487-4 See the response to comment IND13-3 regarding safety.
- IND487-5 The commentor’s opposition of the proposed projects is noted.

INDIVIDUALS

IND488 – Dru Dempsey

20140407-5182 FERC PDF (Unofficial) 4/7/2014 10:14:20 AM	
IND488-1	<div>Dru Dempsey, New York, NY.</div> <div>I want to express my strong opinion that the DEIS is deeply flawed. Under no circumstances, should permission be granted to build the Constitution pipeline. There should NOT be alternative pipeline routes considered since any and all options would cut through the New York City drinking water supply watershed. I oppose any and all efforts to construct and operate the Constitution Pipeline.</div>

IND488-1      The commentor’s statement regarding the draft EIS is noted. The commentor’s opposition to the proposed projects is noted.

# INDIVIDUALS

IND489 – Dianne Sefcik

Dianne Sefcik, Registered Intervenor  
194 Clickman Rd  
Westerlo, NY 12193

April 4, 2014

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3rd Floor  
Watervliet, New York 12189-4000

Re: Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR

**Comment: The DEIS uses equivocal language to describe Constitution's commitment to adhere to NYSDAM Dept of Agriculture and Markets guidance for construction**

IND489-1  
Excerpt from the DEIS:

***Section 1.2.5 New York State Department of Agriculture and Markets***

*"The NYSDAM is a state agency that works to promote a viable agricultural industry, foster agricultural environmental stewardship, and safeguard the food supply of New York. The NYSDAM has prepared guidance documents for construction of pipelines within agricultural areas. **Constitution intends to adhere to the NYSDAM's guidance for construction within agricultural land.**"*

This section is an example of equivocal language in the DEIS. Instead of "**would or will**" adhere to the NYSDAM's guidance for construction within agriculture land", the DEIS reads, as quoted above, "**intends**" to adhere...."

This language gives Constitution the choice to adhere or not to adhere to these construction guidelines. A real commitment to adhere to the guidelines would use the language of commitment, not the language of equivocation.

FERC should expect intended compliance with regulations and guidelines to be explicit and binding, and use language that conveys that. If Constitution is unwilling to commit in language, why would stakeholders be willing to believe their commitment in action?

The DEIS language needs to be strengthened wherever such equivocal language exists.

Sincerely,

Dianne Sefcik

IND489-1      Section 1.2.5 has been revised as suggested.

INDIVIDUALS  
IND490 – Timothy Camann

20140407-5192 FERC PDF (Unofficial) 4/7/2014 10:18:11 AM

Timothy Camann  
13600 County Highway 23  
Unadilla, NY 13849

April 7, 2014

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington St., Bldg. 10, 3<sup>rd</sup> Fl.  
Watervliet, New York 12189-4000

Re: Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR

IND490-1 | My wife and I purchased our 77-acre property in 1990. Even though the old farmhouse needed a lot of work, we fell in love with the land---its fields, creek and brooks, and especially its mature woodland. Our network of trails is used daily as we walk our dogs and ourselves. We enjoy retreating to the sanctuary of trees, water, and nature. We are thrilled to hear the song of the wood thrush. We are blessed by our forest and enjoy sharing it with friends and family. It is our chief venue for recreation and rejuvenation, a place of natural beauty, a source of pride.

It is with great dismay and horror that we contemplate the pipeline ripping a 110-foot wide construction corridor for 1500 feet through the heart of our woods and across 1000 feet of farmland. According to 18 CFR § 380.15(a), construction should avoid effects on scenic, wildlife and recreational values. 15(b) says the desires of landowners should be taken into account. My wife and I do not desire this pipeline despoiling our land. **We will not agree to an easement.**

IND490-2 | My property, NY-DE-029.000, is shown on Constitution Pipeline Company, LLC Soil Erosion and Sediment Control Plan FERC Alignment Sheet 58 of 126 revised 11/08/13 showing STA. 2977+00 to STA. 3029+00 in Delaware County, NY. The contours shown on this map do not agree with the elevations shown in the Profile on the same sheet. The contours do not depict the region shown in the photograph. They are completely wrong.

IND490-3 | The pipeline bisects my forest and cuts through 197 feet of interior forest as listed in Appendix M at MP 56.8 to 56.9. (I find the right-of-way widths list in Appendix M in conflict with the Workspace Schematic shown in the Alignment Sheet.) Since the forest 300 feet on either side of the corridor will also cease being interior forest, it effectively eliminates all my interior forest area, not just the acreage consumed in the corridor itself. Since reforestation of the pipeline easement is prohibited, this loss would be permanent.

The visual impact of the treeless corridor will be permanent as seen from my home and neighborhood and on my daily walks through the previously forested areas. I find these to be highly significant.

IND490-1 | The commentor's statement regarding an easement is noted.

IND490-2 | The commentor's statements regarding the alignment sheet is noted. Constitution would be required to file a final set of alignment sheets prior to construction if the projects are approved.

IND490-3 | Our assessment of this parcel can be found in section 3.4.3.2 of the EIS where we recommended that Constitution adopt a minor route variation.

S-1830

# INDIVIDUALS

## IND490 – Timothy Camann (cont'd)

20140407-5192 FERC PDF (Unofficial) 4/7/2014 10:18:11 AM	
IND490-4	The Army Corps of Engineers Attachment 6D Wetland and Waterbody Crossings does <i>not</i> include the crossing of Carr's Creek in the Town of Sidney, Delaware County, NY. If this crossing is no longer part of the proposed project, I am overjoyed. If the attachment is incomplete, how can there be informed public comment?
IND490-5	Burning methane produces carbon dioxide, a greenhouse gas. Methane, whether vented or leaked into the atmosphere, is a far more potent greenhouse gas than carbon dioxide. While the effects of increased atmospheric greenhouse gases are still being studied, there is little doubt of the great harm it poses. At some point very soon, people, corporations, and government must transition away from fossil fuels. The failure by the FERC to recognize this in its DEIS is glaring. An increase in methane infrastructure will only promote its use and development and delay the day when sustainable alternatives can supplant it.
IND490-6	<p>From page 4-214 section 4.13.1.1 paragraph 4: "Development of the Marcellus Shale natural gas resource is not the subject of the EIS nor is the issue directly related to the proposed projects."</p> <p>The DEIS does not consider the cumulative impact of the presence of the pipeline should fracking begin in New York. The presence (or absence) of the pipeline will significantly affect gas development within 20 miles of the pipeline. The public deserves to understand the ramifications of such development.</p> <p>Proponents of the pipeline (and gas development in general) see the connection between the pipeline and greater gas development and liquefied natural gas (LNG) export.</p> <p>There is an enormous amount of gas being produced in PA. There is not enough pipelines to bring it to market. Furthermore, those markets are limited until the LNG terminals are approved and built. Once the infrastructure is in place, this bonanza under our feet will help our communities, our state, our region, our nation, and the world. All you have to do is read last week's headlines on the Ukraine and Russia to see where this is heading. The Constitution Pipeline is part of the picture.</p> <p>Richard Downey UALA Bulletin 3-9-2014</p> <p>When the two dozen planned LNG terminals are approved and built, gas from transmission pipelines like the Constitution will be sent overseas. (Caveat: since 2011, a mere six terminals have been approved, and only one is scheduled for completion in 2015.)</p> <p>Richard Downey UALA Bulletin 3-15-2014</p>
IND490-7	What prevents the FERC from anticipating this development? I object to losing my woodlands via eminent domain to facilitate more gas development, a development that will harm the environment and exacerbate climate change.

IND490-4 See the response to comment FA5-5.

IND490-5 See the response to comment SA6-1 regarding greenhouse gases. Section 3.1.2.3 of the EIS provides a discussion of renewable energy.

IND490-6 See the responses to comments LA1-4 and FA4-45 regarding hydraulic fracturing. See the response to comment LA7-5 regarding export.

IND490-7 See the response to comment FA8-3 regarding eminent domain. See the response to comment SA6-1 regarding climate change.

# INDIVIDUALS

## IND490 – Timothy Camann (cont'd)

20140407-5192 FERC PDF (Unofficial) 4/7/2014 10:18:11 AM

IND490-8

Environmentalists in the FERC (and other agencies) should help identify the provisions in existing law and policy that prevent them from acting in the best interest of a sustainable environment.

**The pipeline is located in places that are to be avoided and mostly fails to be collocated as it should.**

18 CFR § 380.15(d)(1) prefers collocation with existing right-of-ways. According to Table 2.2.1-1, 58,977 feet (10.13 miles) of the 124.4-mile pipeline is collocated. This is just 8.1%.

15(d)(2) says to avoid wetlands. Appendices L-1 and L-2 lists 10.4 miles (8.3%) of pipeline miles in wetlands.

15(d)(3) says to avoid forested areas. Table 4.8.1-1 shows that of the pipeline's 707.3 acres affected by operation 452.6 acres are upland forest. This is 64%. Appendix M shows 190,161 feet of pipeline through interior forest. This is 36 miles (29%) of the entire pipeline. The deforested pipeline corridor would also cause the neighboring 300 feet of forest on either side of the corridor to lose designation as interior forest. Thus the loss of interior forest areas due to the pipeline will be far greater than the 217.9 and/or 439.7 acres shown at the end of Appendix M, perhaps as much as 2600 acres.

15(d)(3) says to avoid steep slopes. Appendices G-1 through G-4 show 35.1 miles (28%) of the pipeline on steep slopes or steep side slopes. (I suspect G-3 is in error when it says MP55.7 to MP57.7 has steep side slopes for 2.0 miles. This is shown by the three subsequent entries at 56.2, 57.5, and 57.5-57.6. It also includes the entire pipeline path on my property, which is neither that steep everywhere nor all side slope.)

4.1.3.6 says the pipeline crosses 12.4 miles (10%) of karst terrain. 4.1.3.7 says there are 45.5 miles (36%) of pipeline in areas of shallow bedrock. Table 4.2.2-1 shows that 630.1 acres (33.8%) of the 1862 affected acres are prime farmland. (One of these is mine.)

IND490-9

Constitution Pipeline wants to place the pipeline in service by March 2015, an unrealistically early date. There are tight limits on when they may work in sensitive waters. There are miles and miles of wetlands, areas with shallow depth to bedrock, karst areas, and areas with steep slopes. Many locations have not yet been surveyed. Details are lacking for many components. The Construction Schedule (2.4) is just 66 words long. They plan to work through winter. There are many places where the contractors will have to evaluate conditions and determine how to proceed. This is a recipe for disaster.

Constitution proposes a number of trenchless and dry crossings of wetlands and waterbodies. However, if any of these fail or are found infeasible wet, open-cut construction methods would be considered. Accordingly, the **EIS must be based on these worst-case scenarios and methods—not the optimistic ones** given as their first

IND490-8

See the response to comment CO43-8 regarding collocation. The regulations state that these areas should be avoided “where practical.” Complete avoidance of all of these areas would not be realistic or practical.

IND490-9

Constitution would seek approval to begin construction as soon as possible after receiving all necessary federal authorizations. In-service would shortly follow completion of construction and restoration is proceeding satisfactorily. See also the response to comment CO50-47. Geotechnical feasibility studies would determine if the proposed trenchless crossing would be successful. A trenchless crossing would only be used if the geotech report was favorable. As stated in table 2.3.2-1, if a proposed trenchless crossing were to fail, Constitution would use a dry crossing method for all waterbodies. We agree that Constitution's desired in-service date of March 2015 is unrealistic given the current schedule for environmental review.

# INDIVIDUALS

## IND490 – Timothy Camann (cont'd)

20140407-5192 FERC PDF (Unofficial) 4/7/2014 10:18:11 AM

IND490-9  
cont'd | choice; similarly for blasting in shallow bedrock areas and construction in areas of steep slopes.

IND490-10 | There are to be five spreads working simultaneously, each with its own environmental inspector(s). Constitution will require contractors follow the ECP and applicable laws and regulations. Constitution would assign responsibility for ensuring compliance with the measures set forth in the ECPs (for the pipeline project) and all other environmental permits and approvals, as well as environmental requirements in landowner agreements to the Environmental Inspectors. (The EIs are also given a host of other responsibilities on page 2-29.)

I appreciate the candor of the FERC disclosure that the FERC assumes "the Applicants would comply with all applicable laws and regulations" (page 4-1) However, I am concerned that they may not.

I expect that the applicants will offer their contractors incentives for timely completion and disincentives for delayed. For both applicants and contractors, "Time is money." This means the environment will lose: "Haste makes waste."

When an 'unforeseen' difficulty is encountered, the contractor will optimistically assert, "I think we can do this" while the EI will think, "I'm not so sure."

The pressure on the EI will be intense. He'll need to "Go along to get along." If he were to conscientiously stop every potential violation, he would never be hired on another project. With his impossibly long list of responsibilities, he will be hard pressed to stop more than a few of the most egregious practices. He will need near certainty to prevail with the Chief Inspector and stop construction; the contractor just needs plausibility. (The FERC third-party compliance monitoring program shows its recognition that the applicant does not always comply.)

So rather than proceeding slowly and carefully (or ceasing altogether), the work will proceed, come what may. When violations of laws, regulations, or ECP are afterwards discovered, fines may, indeed, be assessed. And we know the applicants will claim *they* are not the ones guilty of violations. They will assert that their contractors were required to follow the ECP and applicable laws and regulations and that their EIs were responsible for ensuring compliance. The fines will be appealed. In the face of litigation ad infinitum, the DEC will settle for pennies on the dollar. The applicants will get their pipeline and the environment will suffer for it.

'All area disturbed during construction including those considered rugged terrain would be graded and restored as closely as possible to pre-construction contours during cleanup and restoration.' What does this mean? Are photos/videos utilized to assure pre-construction contours? How close is possible/practicable? Who determines when it is close enough or what is possible? Can computer graphics be utilized to show landowners before construction what the restoration will look like?

IND490-10

See the response to comment FA4-12 regarding the FERC's third-party compliance monitor. Construction crews within a spread are working together in an assembly line fashion. Therefore, the EI would be able to observe activities and available for consultations. Completed restoration of all disturbed areas would need to be approved by the FERC. As stated in Constitution's ECPs, EIs would take photographs before and after clearing to aid with restoration. The FERC is not aware of the use of computer graphics for contour modeling. See the response to comment IND13-3 regarding safety.

S-1833



INDIVIDUALS

IND490 – Timothy Camann (cont’d)

20140407-5192 FERC PDF (Unofficial) 4/7/2014 10:18:11 AM

IND490-10  
cont'd

“The operation of the projects would represent a slight increase in risk to the nearby public.” But for most of the route, the present risk from a gas incident is zero.

# INDIVIDUALS

## IND491 – Epifanio Bevilacqua

20140407-5196 FERC PDF (Unofficial) 4/7/2014 10:45:05 AM

IND491-1 Epifanio Bevilacqua, Franklin, NY.  
IND491-1 I am requesting an extension for the above mentioned docket, as I believe that Williams needs to adequately answer concerns mentioned by various organizations individuals, landowners, etc. Williams has had at least 570 violations issued to them. They have not cleaned some of the environmental hazards they've caused- how can FERC issue a permit to such a negligent company? Williams has a total disregard to rules and regulations issued to them by government agencies, one example being that they built a compressor station in Brooklyn Township, PA without a permit. In my opinion, they should have their license taken away- we do not need a business like this doing business in our backyard. We see how they treat communities they're doing business with now- they are intruding on our rights. Thanks you, Epifanio Bevilacqua

IND491-1 See response to comment FA1-1.

IND491-2 See response to comment CO47-1.

IND491-3 See the response to comment CO41-29 regarding the Central Compressor Station. The commentator's statements regarding the Applicants are noted.

# INDIVIDUALS

## IND492 – Renee Nied

Renee Nied  
PO Box 468  
Richmondville, NY 12149

April 7, 2014

Ms. Kimberly D. Bose  
Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, D.C. 20426

Us Army Corps of Engineers  
New York District CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3<sup>rd</sup> Floor  
Watervliet, new York 12189-4000

RE: Docket Nos. CP13-499 and CP13-502, NAN-2012-00449-UBR

- IND492-1

As an Intervener in the matter of the proposed Constitution Pipeline and a landowner impacted by the previously proposed “M Route,” I submit the following comments out of concern for the health and safety of my child and the other children of my community:

The proposed Contractor Yard located along State Route 7 in the Town of Richmondville is less than a half mile from the Cobleskill-Richmondville High School and 1.5 miles from Radez Elementary School. The proposed yard abuts the primary school bus route for the school district which will cause heavy truck and equipment traffic to intersect the movement of thousands of students every day. The shoulders of Route 7 are also used for training by the school district’s track team as well as pedestrian traffic from children going to and from school. Introducing the kind of intense activity that the Contractor Yard will bring into to this environment is a recipe for disaster.
- IND492-2

The DEIS notes the possibility of extensive blasting operations through shallow bedrock as part of the pipeline construction activity. The DEIS fails, however, to identify where the explosives used for that blasting will be stored, both temporarily and permanently, during construction of the pipeline. It is, therefore, reasonable to conclude that explosives may be stored in the Contractor Yard as it will be used for a staging area for construction. If explosives were stored at that location, their proximity to the schools and the school bus route would be determined to be unacceptable by any valid and reasonable risk assessment.
- IND492-3

It should also be noted that there is a restaurant establishment within several hundred yards of the proposed contractor yard that employee a number of High School and College age young adults and is frequented by area students, sports teams and families.

- IND492-1

Constitution has agreed to work with local officials to minimize traffic impacts on the public.
- IND492-2

Constitution has agreed to practice safe storage of explosives used for blasting in accordance with all applicable laws.
- IND492-3

See the response to comment IND492-1.

# INDIVIDUALS

## IND492 – Renee Nied (cont'd)

S-1837

IND492-3  
cont'd

For the reasons stated above I respectfully request that the FERC issue a supplemental DEIS that contains the following:

1. A comprehensive traffic analysis for the proposed Contractor Yard that includes data on the number of students who will be bussed in proximity to the Contractor Yard and the number of pedestrians using the roads in proximity of the Contractor Yard as well as a detailed mitigation plan to address the risks associated with the proximity of the Contractor Yard to student movements.

IND492-4

2. A determination of whether explosives and/or other hazardous materials will be stored at the proposed Contractor Yard and a detailed mitigation plan for addressing the potential risks of those material being stored in proximity to schools and the movements of students in and around those schools, including a detailed evacuation plan that assures the safety of those students in the event of an accident, leak or explosion at or near the Contractor Yard and roadways leading to the Contractor Yard.

IND492-5

3. A comprehensive study of alternative Contractor Yard sites that are not in proximity to schools, school bus routes, pedestrian traffic, the frequent the movement of students or the gathering places of large numbers of young people.

Thank you.

Renee Nied

IND492-4      See the response to comment IND492-2.

IND492-5      See the response to comment IND492-1. We have reviewed Constitution's proposed contractor yard(s) and based on the proposed mitigation measures, we find them acceptable.

# INDIVIDUALS

## IND493 – Edith Kantrowitz

S-1838

20140407-5199 FERC PDF (Unofficial) 4/7/2014 11:13:16 AM	
IND493-1	Edith Kantrowitz, Brooklyn, NY. I am writing to express my opposition to the proposed "Constitution" pipeline. This pipeline would not be in the national interest for many reasons, including the environmental impacts which would result from its construction. Almost all
IND493-2	of the proposed pipeline route would cross sensitive or difficult terrain, including 36 miles of interior forest, 277 bodies of water, 10.7 miles of wetlands, and 33.35 miles of agricultural district. Hundreds of thousands of mature trees would be cut, fragmenting the forest, and aquifers would be affected by blasting and jack hammers. There will also be soil compaction effects, having a negative impact on agriculture.
IND493-3	This pipeline will also encourage increased gas drilling activity in the Marcellus Shale - both in Pennsylvania, and possibly in New York State as well. It is well known that hydrofracking for shale gas leads to water contamination, air pollution, severe health impacts, radioactive waste products which need disposal, earthquakes, destruction of local roads, weakening of local economies, habitat destruction, increased crime, etc, etc. We should not be destroying our health and our land resources with this dangerous hydrofracking process simply to obtain shale gas that will ultimately be shipped overseas to enrich the profits of a few corporations.  Even without drilling in New York State, this pipeline will have "open access" to accept gas at various points along its route. That means there will be a compressor station everywhere gas gets added to the pipeline. Compressor stations emit vast amounts of toxic chemicals, cause serious health problems for the communities in which they are located, and can contaminate crops grown nearby these toxic emissions. We can also expect that a network of feeder pipelines will come to surround the "Constitution" pipeline, and where there are pipelines, property is devalued. National insurance agencies will not insure property with a pipeline on or near it, because of the potential for explosions.
IND493-4	Beyond all this, we must consider that encouraging the use of shale gas is not in the national interest because of the way fossil fuel usage accelerates climate change. The methane we call "natural gas" has an impact on our climate which is just as bad as CO2, or worse. We are already starting to see the impacts of severe weather, sea level rise, droughts, etc. all around us, and in order to save human civilization for our children and grandchildren, we MUST stop using shale gas and all other fossil fuels immediately and instead switch to renewables. For all these reasons, I am asking that you do not approve the "Constitution" pipeline.

- IND493-1 The commentor's statements in opposition to the proposed projects are noted.
- IND493-2 Sensitive resources, as well as potential impacts and mitigation, are discussed in the EIS for interior forest (section 4.5.3), waterbodies (section 4.3.3), steep slopes (sections 2.3.2, and 4.1.3; appendix G), soil compaction (section 4.2.2), shallow bedrock (sections 2.3.1 and 4.1.3; appendix I), wetlands (section 4.4 and appendix L), air quality (section 4.11.1), and farmland/agriculture (sections 2.3.2, 4.2, 4.8.4, and appendix J).
- IND493-3 See the response to comments LA1-4 and FA4-45 regarding hydraulic fracturing.
- IND493-4 See the response to comment SA6-1 regarding climate change. Section 3.1.2.3 of the EIS discusses renewable energy.

INDIVIDUALS

IND494 – Valerie Dudley

20140407-5200 FERC PDF (Unofficial) 4/7/2014 11:20:20 AM

Valerie Dudley, East Meredith, NY.  
Kimberly D. Bose, Secretary  
Federal Regulatory Energy Commission  
888 First Street NE., Room 1A  
Washington, D.C. 20426

RE: Comments on FERC Docket Nos. CP13-499-000 and CP13-502-000, Constitution Pipeline Project and Wright Interconnect Project Draft Environmental Impact Statement

Dear Secretary Bose:

IND494-1 I am an intervenor in the above captioned project.

I am requesting more time because radio towers were added to the project very recently, because the FERC comment hearings were overwhelmed by teamsters who were trucked in, because this pipeline deserves adequate commenting time to properly weigh all the impacts, which will be many, severe, and permanent.

Sincerely,  
Valerie Dudley  
232 Frisbee Rd  
East Meredith, NY 13757

IND494-1

See response to comment FA1-1. See the response to comment SA2-1 regarding communication towers. See the response to comment CO50-108 regarding the comment meetings.

**INDIVIDUALS**  
**IND495 – Marie Reinertsen**

20140407-5206 FERC PDF (Unofficial) 4/7/2014 11:45:24 AM

- IND495-1

Mary Reinertsen, New York, NY.  
I'm not an expert, but I want to register my fervent opposition to the Constitution pipeline. Maybe a critical mass will force FERC and the politicians to take notice. This state is awash in pipelines, we are being forced to swallow Spectra through lower Manhattan and Rockaway through our new National Park. All this to encourage yet more Hydro-fracking.  
  
Pipelines are dangerous, they are under-regulated and under-inspected. Congress seems to want it that way, so we have to try to protect ourselves. Pipelines explode and they leak. The pipeline in Harlem that just exploded is tiny and look at the damage it did. And this Constitution pipeline will face increasingly severe weather and flooding.
- IND495-2

The proposed Constitution pipeline is going over steep hill and dale, across wetlands and critical farmland. Some of the land hasn't even been surveyed. FERC says there won't be any environmental impact. How can responsible regulators call deforestation and fragmentation "no environmental impact?" And an alternate route through New York City's watershed is just as fraught with danger.
- IND495-3

Please do not downplay environmental harm and rubberstamp this pipeline. Increased hydro-fracking and all those compressor stations alone will have enormous cumulative environmental impact. Thank you.

- IND495-1

The commentor's opposition to the proposed projects is noted. See the response to comments LA1-4 and FA4-45 regarding hydraulic fracturing. See the response to comment IND13-3 regarding safety. See the response to comment IND135-3 regarding the incident in Harlem.
- IND495-2

See the response to comment CO1-1. See the response to comment FA4-3 regarding surveys. The commentor's statement regarding opposition to alternative K is noted.
- IND495-3

See the response to comment IND44-2. The commentor's statement regarding hydraulic fracturing is noted.

# INDIVIDUALS

## IND496 – Kathleen Brown

20140407-5208 FERC PDF (Unofficial) 4/7/2014 10:46:41 AM

Kathleen Brown  
748 Baldwin Road  
Summit, New York 12175

March 22, 2014

Kimberly DeBose, Secretary      US Army Corp of Engineers  
The FERC      New York District, CENAN-OP-R  
888 First Street NE, Room 1A      Upstate Regulatory Field Office  
Washington, DC 20426      1 Buffington Street, Bldg. 10, 3<sup>rd</sup> Floor  
Watervliet, New York 12189-4000

RE: Docket Nos. CP13-499 & CP13-502; NAN-2012-00449-UBR

IND496-1 | I am a homeowner that was included in the original route of the pipeline in Summit, New York. I would like to try and write all my concerns and questions in this letter but I am not very good at writing and it would be longer than anyone would bother reading. I have written government officials in the past, only to not even have my letter read and receive back a form letter than didn't even pertain to the subject of my letter. I will try though and do hope that this letter will be read and my comments considered. I have been very upset since the beginning of this pipeline and pray daily that it does not happen.

IND496-2 | First of all I want to say that all people living in the states and counties of this pipeline should get all information regarding it, not just the landowners, as everyone is effected by it, not just the landowners whose property is crossed. I also feel that the people should have more time to read, understand and comment on every aspect of this pipeline and the fracking that will undoubtedly follow it. By not allowing an appropriate amount of time for people to do so, is like not allowing the people any choice in the matter. I urge you to extend the comment period which ends April 7, by at least 60 days or more, given the vast amount of material involved here. We are not all business people and lawyers who are used to dealing with this type of material.

Here are my thoughts:

IND496-3 | I feel rural areas are targeted by large corporations as they don't have as many people to fight against. I grew up here and I love the rural country that I live in. I don't want to see it turned into city and I don't want it to be turned into a poisoned wasteland. Why in this day and age of food shortages world-wide, are we not helping to keep and protect our agricultural land safe and pure and help our farmers? No, let's just run over of our rural citizens who have fled the cities and do whatever on their land and make them pay the taxes on the property that the pipeline goes on, which they can no longer use the land as they wish, but they still have to pay taxes on for the rest of their lives and any owner after them.

IND496-1      The commentor's statement regarding distribution of information is noted. Landowner notifications have occurred in accordance with FERC regulations.

IND496-2      See the response to comment FA1-1.

IND496-3      The commentor's statement regarding rural communities is noted. See the response to comment IND297-3 regarding farms.



# INDIVIDUALS

## IND496 – Kathleen Brown (cont'd)

S-1842

20140407-5208 FERC PDF (Unofficial) 4/7/2014 10:46:41 AM	
IND496-4	What about the value of our homes? Homes values have already dropped enormously, even though our tax assessments have not. How will we sell our property when the pipeline has a right-of-way on them and the next big corporation will want to have a pipeline and they in turn will take our land if the first corporation is allowed to.
IND496-5	<p>People associate natural gas pipelines with fracking. In the Catskills, fracking fears have already impacted the real estate market even though the state has yet to make a determination on whether to allow drilling. The prospect that the state will open the region to drilling, as the <i>New York Times</i> reported, "has spooked potential buyers" in upstate New York. The <i>Times</i> story also quoted a realtor who shut down her business In Wayne County, PA. Agents there, the woman said, are having trouble selling rural properties "because people don't want to be anywhere near the drilling."</p> <p>It terrifies me that fracking will come next after the pipeline. Fracking always follows the pipelines. After all the only time fracking came before the pipeline is the first time fracking was done and then a pipeline came in after and then more fracking followed and more pipeline and more fracking. We have a landscape that is characterized by numerous caves, sinkholes, fissures, and underground streams. Karst topography usually forms in regions of plentiful rainfall where bedrock consists of carbonate-rich rock, such as limestone, gypsum, or dolomite, that is easily dissolved. Injecting nitrogen and water into a gas well in karst geology is bad. It is bad for ground water, drinking water and surface water. My friends and relatives in other states where fracking has occurred tell me all the time about the earthquakes that are happening on a regular basis since fracking was done there. The Karst we have here is wonderful for agriculture, but not after pipelines contaminate it. The underground water of karst topography carves our impressive channels and caves that are susceptible to collapse from the surface. When enough limestone is eroded from underground, a sinkhole (also called a doline) may develop. Sinkholes are depressions that form when a portion of the lithosphere below is eroded away. Our natural caverns should not be filled with concrete and wildlife destroyed to accommodate the pipeline.</p>
IND496-6	I have seen pictures of the pipe used in the construction of Constitutions pipeline and they are very thin. I do not care if they are made of steel and coated and lined with protective agents. The protective coatings are toxic. Just go on Google and see what is used to coat these pipes and the welds connecting them. All materials have a life span, be it wood, metal, etc. and will deteriorate, just like our country's infrastructure that is deteriorating as I write this. Sewers pipes, water mains, highway materials, such as the reinforcement rod in the concrete and the concrete beneath our highways, which are all deteriorating faster than we can afford to fix them. These companies do not replace this pipe until it breaks and there is an explosion.
IND496-7	
IND496-8	While I am talking about our deteriorated infrastructure, I would like to know who will pay for our highway repair? For example, the intersection of NYS Rte. 10, NYS Rte 7 and the I-88 exit ramps, there is a terrible section of highway just past the light on Rte 10. This bad section has been there for many, many years and nothing is done about it. Route 10 is a hazardous road with signs every few miles telling you "rough road",

IND496-4	See the response to comment LA5-3 regarding property values. See the response to comment CO43-8 regarding collocation.
IND496-5	See the responses to comments LA1-4 and FA4-45 regarding hydraulic fracturing. Constitution would not fill caves with concrete during construction of these proposed projects.
IND496-6	Constitution would select its pipe thickness in accordance with the DOT regulations in 49 CFR 192. See the response to comment IND358-3 regarding pipeline coating.
IND496-7	As discussed in section 2.3.1 of the EIS, Constitution would install cathodic protection equipment along the pipeline to prevent the corrosion of metal surfaces over time. Constitution and Iroquois would adhere to the inspection schedule dictated by PHMSA and outlined in table 2.6-1 of the EIS. Corrective measures would be performed as needed.
IND496-8	See the response to comment LA1-1 regarding road repairs. See the response to comment IND492-1 regarding traffic.

# INDIVIDUALS

## IND496 – Kathleen Brown (cont'd)

S-1843

20140407-5208 FERC PDF (Unofficial) 4/7/2014 10:46:41 AM	
IND496-8 cont'd	"uneven lanes" and the road is breaking up. If large Constitution trucks are using this road, it will become more hazardous, as will all our highways. NYS Route 10 is an old road and a major truck route, as well as a school bus route. It is very slow going when traveling this route, as many trucks in low gear are moving very slow up and down the steep grades, such as Summit Hill. There used to be a truck runoff located there for trucks that lost their brakes. It is no longer there. With increased use from Constitution, what will be done in regard to safety issues. The secondary highways and smaller town dirt roads will really take a beating and become even more congested with their being dug up, blasted into, and a pipeline being installed across them. The areas where this pipeline is going will be a nightmare for travel, as some are not so good now.
IND496-9	There is so much solid rock here where I live and if they blast, which they say they will have to, I will lose my wonderful well water. I know that even digging as they will for the pipeline will upset my well, as when my new neighbor drilled her well this past year, three of us neighboring her had our wells affected.
IND496-10	When my one neighbor heard the pipeline might cross his property, he had a logger take a majority of the trees off. The pileated woodpeckers, different owls and other birds, which I had enjoyed, left the area. Even the other four legged wildlife seems to have drifted away as there are fewer trees to protect them. Now the land that butts against mine is more wet land than before without the trees to soak up the moisture. It is a mosquito infested mess. If the pipeline does go through, there will be an enormous amount of trees which will be lost and we will not be able to replant them. Forested areas as a whole are important land covers in the watershed. Not only do they provide for the majority of wildlife habitats, but they play a major role in the water quality. This is a known fact. We in Schoharie County are in a Watershed area. Why destroy it? Why allow a large corporation to line their pockets at the taxpayers'/landowners' expense? The watersheds in the Northeastern states should be protected, as the rest of the country is having water difficulties. With the weather changes in the last 10-15 years, the western and southwestern states have suffered droughts that they have not come back from as yet, which in turn affects agriculture. Why are we not preserving and maintaining the Northeastern agriculture? The great farmlands are being sold off, industrialized or polluted during a time when there is a world-wide food shortage.
IND496-11	This pipeline is not going to bring the price of gas down for us. It is going overseas, the gas companies state that on their web pages and in their literature. The more our country sends overseas, the more the corporations want to have a global price for their gas and oil. Why make the corporations any richer at the expense of our people and our beautiful country?
IND496-12	Fracking has to be taken into consideration on the DEIS. The only time fracking came before a pipeline was the first time fracking was done and then it was pipeline and more fracking, pipeline and more fracking. Fracking has occurred in at least 32 states since 2005. Explosions, earthquakes, pollution, etc. have followed and will increase as pipelines and wells deteriorate.

IND496-9	As stated in section 4.1.3.8 it is expected that a large portion of the bedrock would be ripped using conventional excavation techniques and blasting would not be required. See the response to comment LA4-2 regarding water well testing.
IND496-10	See the response to comment IND297-3 regarding farms. Trees may be replanted by the landowner within the construction right-of-way. Trees may not be planted within the 50 foot operational right-of-way. Watersheds and surface waters are discussed in section 4.3.3 of the EIS.
IND496-11	See the response to comment LA7-5 regarding export of natural gas. See the response to comment IND205-3 regarding gas prices.
IND496-12	See the responses to comments LA1-4 and FA4-45 regarding hydraulic fracturing.

# INDIVIDUALS

## IND496 – Kathleen Brown (cont'd)

S-1844

20140407-5208 FERC PDF (Unofficial) 4/7/2014 10:46:41 AM	
IND496-12 cont'd	It may seem unbelievable, but because of exemptions in federal laws won by the oil and gas industry, there is no publicly available information that shows everywhere in the country where fracking is occurring. Some states provide the information, but in some states companies do not even have to tell the state regulator that they will be fracking. The U.S. EPA progress report relies on reporting by only nine fracking companies, so it may turn out that other companies are fracking in even more places. In fact, we know from other sources that fracking has also happened in other states, including Alaska, South Dakota and Missouri, even though the U.S. EPA's map does not indicate any fracking there.
IND496-13	There are people that still are not informed regarding the Constitution Pipeline. Why is that? The Gas and Oil industry affects everyone. EVERYONE has a right to know.
IND496-14	Constitution plays dirty. Why is constitution allowed to move their pipeline route away from a home for the people who give them a right-away, even if it means moving it closer to a neighbor's home who refuses them a right of way? Punish those who refuse them? I know this is fact, as they did this with my two neighbors. They threaten landowners, as they did me, with the statement..."Work with us and you will profit more. You will lose out if we use eminent domain."
IND496-15	WHO IS GOING TO POLICE THE GAS COMPANY TO MAKE SURE THE PIPELINE WILL BE CONSTRUCTED PROPERLY AND MAINTAINED PROPERLY AND SAFELY IN ALL RESPECTS, HEALTH, SAFETY, ENVIRONMENT, ETC.? Will they be told they can police themselves? The companies involved have a poor history of keeping promises or contracts.
IND496-16	As an explosion can affect up to 30 plus miles from the site, this area should be considered in the DEIS also, as well as ground and water pollution.  Regarding the Appomattox explosion on the Williams Transco line, John Batchelder (an expert in pipeline integrity with the company) said "IN THE LIFE OF THIS PIPELINE, THE COATING BECAME COMPROMISED. THEROCKS IN THE DITCH MAKE IT VERY DIFFICULT TO PROTECT THIS AREA." The analysis of Williams Gas Company's pipeline showed that the thinning wasn't fully captured by the tools used to examine the pipes in service, said John Batchelder, a pipeline integrity expert with the company. See more... <a href="http://www.downstreamtoday.com/News/ArticlePrint.aspx?aid=14247&amp;AspxAutoDetectCookieSupport=1">http://www.downstreamtoday.com/News/ArticlePrint.aspx?aid=14247&amp;AspxAutoDetectCookieSupport=1</a>
IND496-17	The land heaves here with the frost and not just by inches. Rocks work their way to the surface with the heaving of the soil. How can a pipeline safely be put in this area?
IND496-18	There is a gully below my home that is at least 20-30 feet deep and water runs through it. The pipeline crosses this. How will this be done safely? How will the water not be blocked from flowing.? How will the water not be polluted? As the ground erodes all down this gully, how will the pipeline remain safe. This has already happened recently,

- IND496-13 The commentor's statements regarding notifications are noted. Landowner notifications have occurred in accordance with the FERC regulations.
- IND496-14 See the response to comment FA8-3 regarding eminent domain and easement negotiations.
- IND496-15 See the responses to comments FA4-12 (environmental compliance), CO47-1 (William's safety record), and IND13-3 and IND239-2 (regarding safety). By signed agreement with the Office of Pipeline Safety (within the USDOT-PHMSA), the state inspects interstate gas and hazardous liquid pipeline operators in New York. Also, through certification by the OPS, the state inspects and enforces the pipeline safety regulations for intrastate gas and hazardous liquid pipeline operators in New York. This work is performed by the [New York Public Service Commission](http://primis.phmsa.dot.gov/comm/FactSheets/States/NY_State_PL_Safety_Regulatory_Fact_Sheet.htm).  
[http://primis.phmsa.dot.gov/comm/FactSheets/States/NY\\_State\\_PL\\_Safety\\_Regulatory\\_Fact\\_Sheet.htm](http://primis.phmsa.dot.gov/comm/FactSheets/States/NY_State_PL_Safety_Regulatory_Fact_Sheet.htm).
- IND496-16 If there was an incident, the gas would vent to the atmosphere and would not contaminate the ground or water. See the response to comment IND496-7 regarding cathodic protection. In addition the proposed pipeline would be coated with an epoxy to reduce corrosion. See the response to comment IND13-3 regarding safety.
- IND496-17 See the response to comment IND11-8 regarding frost heave.
- IND496-18 The information regarding the incident in Marshall County is noted. See the responses to comments LA1-6 (emergency responders) and LA5-3 (insurance). Constitution's Community Grant Program has already benefitted emergency responders in Schoharie County, New York as described in section 4.12.1 of the EIS.

# INDIVIDUALS

## IND496 – Kathleen Brown (cont'd)

S-1845

20140407-5208 FERC PDF (Unofficial) 4/7/2014 10:46:41 AM	
IND496-18 cont'd	please see <a href="http://www.wowktv.com/story/25170251/gas-line-explosion-in-marshall-county-results-in-fire">http://www.wowktv.com/story/25170251/gas-line-explosion-in-marshall-county-results-in-fire</a>
IND496-19	<p>Multiple agencies in Marshall County were on the scene of a pipeline explosion. Marshall County Emergency Management Director Tom Hart said a hillside slip caused a 12-inch line to rupture between Waymans Ridge and Middle Creek.</p> <p>Hart specified it is a Williams Energy-owned pipeline that feeds into the Oak Grove facility, and was not a well fire or explosion. "It was able to burn out which actually occurred fairly quickly, within the first couple hours of the incident. If it would have been a well site incident, then we would be looking at several days to a couple weeks in order for that to be extinguished," Hart said.</p> <p>Please take note that in rural areas our firemen are VOLUNTEERS. They risk their lives to protect their friends, neighbors and communities. Why should they put their lives on the line for the Constitution Pipeline? Right now locally, the volunteer count is dwindling. How many will want to volunteer to face a pipeline explosion? How will this effect homeowner's or business' insurance?</p> <p>I have checked with my insurance company and damage due to the construction of the pipeline IS NOT covered by homeowner's insurance. The landowner has to fight the huge wealthy gas company to restitution. Damage due to pollution, explosion, etc. of the pipeline also IS NOT covered by homeowner's insurance. Many people will not be able to afford an attorney to fight the gas company. I know I won't.</p>
IND496-20	
IND496-21	If the Constitution Pipeline is approved, how many other pipelines will follow? How much more land will be grabbed up to run more lines? What kind of process will be used to decide if other pipelines will go in?
IND496-22	Standard design codes require pipelines that pass through populated areas reduce maximum operating pressure for safety reasons – but not through rural areas. Again the rural communities and their people are considered to not be of any value.
IND496-23	<p>Many of the explosions that have occurred, have been in 12 inch pipelines. Constitution Pipeline is 30 inches, which if it caused damage, how many miles would it affect? On 12/3/2011, a Williams-Transco pipeline ruptured in Alabama.</p> <p><a href="http://www.texassharon.com/2012/01/02/pictures-acres-of-devistation-from-williams-gas-pipeline-explosion-in-alabama/">http://www.texassharon.com/2012/01/02/pictures-acres-of-devistation-from-williams-gas-pipeline-explosion-in-alabama/</a> The explosion was heard more than 30 miles away and flames shot up nearly 100 feet in the air for 90 minutes AFTER the pipeline was shut off. Since 2006, Williams-Transco has had 35 PHMSA reportable accidents.</p>

IND496-19	See the response to comment LA1-6 regarding emergency services. Schoharie County has also received Community Grant funding.
IND496-20	See the response to comment LA5-3 regarding property values, insurance, and mortgages. See the response to comment CO45-1 regarding liability for an accident.
IND496-21	See the response to comment CO43-8.
IND496-22	The commentor's statements regarding rural communities are noted. See the response to comment IND241-1 regarding class areas.
IND496-23	Section 4.12 of the EIS provides a discussion of the potential impact radius.

# INDIVIDUALS

## IND496 – Kathleen Brown (cont'd)

20140407-5208 FERC PDF (Unofficial) 4/7/2014 10:46:41 AM

IND496-24

There is much in the news regarding chemicals and their effect on our environment. The pollinators are being destroyed by the use of herbicides. Herbicides are used to keep the pipeline right-of-ways clear of brush, etc. These will drift through the air, the water, the ground and pollute. How will the wildlife, agricultural animals, pets, people be affected by these? I don't use them on my property. I stay with all natural safe products. I will still own the land the right-of-way is on and pay the taxes, but I will have no say in the poisons that are used on it. How can this be?

I could go on and on, but you probably would not keep reading. Please stop this pipeline. Stop the large gas and oil companies from destroying our country. Please protect the rural people from the rich gas and oil companies that want to rob us of our land and exploit it. For once JUST SAY NO to big money and large corporations. Save some of the United States for other generations and keep it safe from exploitation and pollution.

Sincerely,

Kathleen Brown

IND496-24      See the response to comment IND341-12 regarding herbicides. See the response to comment IND193-4 regarding herbicides on directly impacted parcels. The commentor's request to stop the pipeline is noted.

INDIVIDUALS  
IND497 – Peter Hudiburg

20140407-5209 FERC PDF (Unofficial) 4/7/2014 10:48:38 AM	
Peter Hudiburg P.O. Box 61 South Plymouth, NY 13844 April 7, 2014	
Kimberly D. Bose, Secretary The FERC 888 First Street NE, Room 1A Washington, D.C. 20426 Re: Docket Nos. CP13-499 and CP13-502	
US Army Corps of Engineers New York District, CENAN-OP-R Upstate Regulatory Field Office 1 Buffington Street, Bldg. 10, 3rd Floor Watervliet, New York 12189-4000 Re: NAN-2012-00449-UBR	
Dear Secretary Bose and Army Corps of Engineers;	
IND497-1	I made comments to FERC during their Scoping Hearings regarding the proposed Constitution Pipeline. I am now sending these comments regarding the FERC DEIS concerning the same pipeline and as an Intervenor.  The FERC DEIS does not address the dangers of worsening and more frequent occurrences of extreme weather events. Extreme cases of erosion could undercut and dislodge the pipeline from flooding runoff, as occurred to roadways and other structures in Tropical Storm Irene in 2011.
IND497-2	FERC's Socioeconomics section says that the impacts on property values and insurance policies "would likely be highly variable." But in fact, it has been observed that in all regions of heavily drilled oil and gas fields, property values go down after the initial boom. Insurance costs go up as insurance companies see that dangerous industrial activity has commenced. A major gas transmission line presents the dangers of leaks, air pollution and potential explosions not only from the pipeline but also from the gas processing facilities and compressor stations that inevitably come with the pipeline. Those dangers do not increase real estate values or decrease insurance costs or make mortgages easy to come by.
IND497-3	Cumulative Impacts  The FERC DEIS states that the Global Warming Potential for CH4 is 25. It is in fact 86 times more warming than CO2 over the next 20 years. Twenty years is the time frame that is more relevant for us because of accelerating ice cap melting, global warming, climate disruption, extreme weather events and ever increasing rates of feedback loops where global warming is melting permafrost, for instance,

IND497-1	See the response to comments CO1-5 and IND113-1 regarding flooding. See the response to comments CO1-4 and IND169-1 regarding erosion.
IND497-2	See the response to comment LA5-3 regarding property values, insurance, and mortgages. See the response to comment LA1-4 regarding hydraulic fracturing.
IND497-3	See the response to comment SA6-1 regarding climate change and GHGs. Cumulative impacts on air quality are discussed in section 4.13.6.10 of the EIS. Additional gas lines, compressor stations, and LNG facilities would be speculative and not reasonably foreseeable and therefore not feasible to include in the cumulative impacts analysis.



# INDIVIDUALS

## IND497 – Peter Hudiburg (cont'd)

S-1848

20140407-5209 FERC PDF (Unofficial) 4/7/2014 10:48:38 AM	
IND497-3 cont'd	<p>which allows previously frozen organic matter to decompose and emit methane which further heats the oceans and atmosphere.</p> <p>Defying rationality, FERC claims that “the GHG emissions for both construction and operation (159,044 tons of GHG emissions) would be very small when compared with the U.S. Greenhouse Gas Inventory of 6.63 billion metric tons of CO<sub>2</sub> (EPA 2009). The GHG emissions for both construction and operation of the pipeline are very small (about 0.001 percent) when compared with the U.S. Greenhouse Gas Inventory of 6.63 billion metric tons of CO<sub>2</sub>e (EPA 2009). The GHG emissions for both construction and operation of the compressor facility are also very small (about 0.002 percent) when compared with the U.S. Greenhouse Gas Inventory. Therefore, we conclude the proposed projects would not significantly contribute to GHG cumulative impacts.”</p> <p>Saying that tons of GHG emissions from construction and operation of the pipeline and compressor station are small by comparing them to the whole of the US Greenhouse Gas Inventory is an outrageous denial of reality. The Constitution pipeline and expansion of the Wright Compressor Station will be significant and continuing contributors to our global problem of GHG caused climate change.</p> <p>“As shown in table 4.11.1-6, the existing Wright Compressor Station by itself emits 69,304 tons of CO<sub>2</sub>e and is minor for PSD. The proposed modification would result in 89,698 tons of CO<sub>2</sub>e, below 100,000-tpy threshold. The net GHG emissions would be less than the applicable threshold; therefore, PSD permitting for GHG emissions was not triggered for the Wright Compressor Station modification.”</p> <p>FERC’s charge should be to reduce GHG emissions, not increase them.</p> <p>If a build out along the gas line were to occur similar to what occurred in PA the number of compressor stations could be 42. If each of those emitted 89,698 tons of GHG emissions the total tons of GHG emissions could come to 3,767,316 tons. That is an unacceptable addition to our air pollution problems.</p> <p>The very nature of cumulative impacts is that they accumulate. Therefore given our already high volumes of released methane and other GHG gases, further significant deterioration would occur.</p> <p>In addition, other gas consuming and emitting industrial processes such as LNG facilities may later be built along the pipeline to compress and distribute LNG. The very nature of LNG technology involves the planned release of methane in order to control pressure and avoid rupture of the containment vessels and consequent explosion.</p>
IND497-4	<p>ALTERNATIVES CONSIDERED</p> <p>FERC claims that “the no-action alternative was considered for the projects. While the no-action alternative would eliminate the environmental impacts identified in this draft EIS, the user markets would be denied the projects’ objective of delivering 650,000 Dth/d of natural gas from existing supplies</p>

IND497-4      See the response to comment CO26-19 and IND21-7 regarding the use of natural gas. See the response to comment LA7-5 regarding need. See the response to comment LA9-4 regarding natural gas reserves. Section 3.1.2.3 of the EIS provides a discussion of renewable energy.

# INDIVIDUALS

## IND497 – Peter Hudiburg (cont'd)

20140407-5209 FERC PDF (Unofficial) 4/7/2014 10:48:38 AM

IND497-4  
cont'd

in Susquehanna County, Pennsylvania to markets in New York and New England. This might result in greater reliance on alternative fossil fuels, such as coal or fuel oil, or both."

There is an increasing body of evidence, which this FERC DEIS ignores, indicating that uncontrolled shale gas releases is more globally warming than oil and probably more warming than coal.

In addition FERC has not established that New York and New England need an additional 650,000 Dth/day. Why build an additional pipeline from the Marcellus when that production will be plateauing in 2017 and decreasing at a rapid rate in the years following, possibly to near zero by 2020? This is according to Moshe Ben-Reuven, "Marcellus Shale: Through A Glass, Darkly," Seeking Alpha, March 2014.

Furthermore New England states are aggressively moving ahead with energy conservation and renewable energy. Scituate MA, a town of over 18,000 residents and 7,685 housing units, is now 100 percent powered by renewable energy, having recently completed a 3 MW solar power station. <http://theenergycollective.com/energyrefuge/256081/scituate-massachusetts-100-powered-renewable-energy>

Massachusetts, unlike NYS, allows its citizens to install more PV than they need, and feed the extra production back into the grid at market rate. So such large scale PV installations are more easily built in MA than in NYS. The company that installed the Situate array has completed 16 MW of other projects in the State and has an additional 62 MW planned. Sixty two MW of renewable energy could power 2160 all electric houses with standard levels of insulation and 15,500 well insulated all electric houses.

If houses are built or retrofitted to Zero Net capacity they will not only need no gas but not even outside electricity. Zero Net houses are built to generate as much electricity from their own PV systems as they use in most years. An ever higher number of Passive and Zero Net energy houses are being built in New England, especially Massachusetts. These types of "system alternatives" are far superior to the building of an unnecessary Constitution gas pipeline.

Carter Scott of Transformations, also of MA, has been building not only ZNE but also Net Positive houses that produce more electric than they use. He is presently building in seven subdivisions and has completed over one hundred highly energy efficient zero or near zero net houses. Clearly construction of these types of energy efficient buildings will increase in coming years thereby further reducing any need for additional gas transmission lines.

We fervently hope that in the near future, subsidies will be taken away from the fossil fuel industry and given to people who build and/or buy high efficiency buildings and renewable energy facilities. FERC has not proven that New York or New England needs an additional 650,000 dth/day of gas. You need to prove necessity in order to build this long distance pipeline.



# INDIVIDUALS

## IND497 – Peter Hudiburg (cont'd)

20140407-5209 FERC PDF (Unofficial) 4/7/2014 10:48:38 AM

IND497-4  
cont'd

The way to begin to slow global warming is to take away all subsidies from the fossil fuel industry. Based on a reading of FERC's DEIS for the proposed Constitution Pipeline and knowing the source of FERC's funding, the fossil fuel industry, one gets the strong impression that this DEIS is unacceptably biased toward the industry in this DEIS.

FERC's mission is supposed to be to "assist consumers in obtaining reliable, efficient and sustainable energy services at a reasonable cost through appropriate regulatory and market means."

Pumping additional quantities of shale gas from Marcellus in PA over hundreds of miles to distant undetermined markets is certainly not efficient. And since Marcellus like all other shale gas fields is rapidly depleting, the Constitution Pipeline is not sustainable. In addition, it is highly doubtful that in future years it will even be reliable.

"The Commission is to determine that a project is required by the public convenience and necessity." FERC has not successfully proven public convenience, certainly not to Pennsylvanians and New Yorkers who are threatened with the economically and environmentally devastating effects of such a pipeline.

The FERC DEIS fails to seriously assess energy conservation and renewable energy potential in the coming years and therefore overestimates the supposed need for large amounts of additional gas, most particularly to the northeast where the biggest efforts are being made to achieve significant improvements in energy efficiency.

According to the Massachusetts Center for EcoTechnology they have upgraded the energy efficiency of 30,053 people's homes and businesses, saved them \$33,469,787 and in the process, saved enough energy to power over 12,000 homes for one year, all in the year 2013. According to one of their emails, [Center for EcoTechnology@mail.vresp.com](mailto:CenterforEcoTechnology@mail.vresp.com)

Forty two Deep Energy Retrofits in Massachusetts were completed from 2009 through 2012. An average of 50% reduction in energy usage was achieved for complete retrofits and a 40% reduction for partial retrofits. "Performance Results for Massachusetts and Rhode Island Deep Energy Retrofit Pilot Community," C. Gates and K. Neuhauser, Building Science Corporation, March 2014.

National Grid financed these Deep Energy Retrofit Pilot Programs. They made available up to \$42,000 of incentives per house to meet aggressive program goals, including rigorous air sealing goals, R40 above grade walls, R5 windows and doors, and R60 roofs. "Deep Energy Retrofit With Exterior Rock Wool," November 8, 2013 by Mark Yanowitz, Verdeco Designs, LLC

Since 2009, Rocky Mountain Institute has been working nationally with large institutions to advance deep energy retrofits in commercial buildings. They've looked to incorporate entire portfolios and campuses of buildings in their retrofit programs and to more effectively involve greater investment by financial decision makers.

S-1850

# INDIVIDUALS

## IND497 – Peter Hudiburg (cont'd)

20140407-5209 FERC PDF (Unofficial) 4/7/2014 10:48:38 AM	
IND497-4 cont'd	<p>In 2010, they contracted with the largest and most influential office owner of them all: the U.S. General Services Administration (GSA). GSA's buildings incorporate 80-million-square-feet. Executive Order 13514 stipulates that their portfolio must become net zero by 2030 and three percent more efficient every year.</p> <p>RMI also consulted for state governments with significant building portfolios. They have advised six states in energy-saving programs on state buildings. They contributed to designing Governor Cuomo's New York State program to improve energy efficiency in state buildings 20 percent by 2020.</p> <p>RMI contracted with the state of Connecticut in a building efficiency program which became a key part of that state's 2013 comprehensive energy strategy focusing on efficiency as well as natural gas, and renewables. "RMI Uses Multi-Pronged Approach To Energy Efficiency," Originally published by Rocky Mountain Institute, Robert Hutchinson. <a href="http://cleantechnica.com/2013/12/23/rmi-uses-multi-pronged-approach-energy-efficiency/#cMQO6c5j3Ehg0YGO.99">http://cleantechnica.com/2013/12/23/rmi-uses-multi-pronged-approach-energy-efficiency/#cMQO6c5j3Ehg0YGO.99</a></p> <p>Clearly the FERC Constitution Pipeline DEIS has failed to adequately or accurately examine "alternative systems."</p> <p>Sincerely yours,</p> <p>Peter Hudiburg South Plymouth, NY 13844</p>

S-1851

# INDIVIDUALS

## IND498 – Clark J. Rhoades

20140407-5214 FERC PDF (Unofficial) 4/7/2014 11:01:09 AM

Clark J. Rhoades-Intervener  
464 County Highway 40  
Worcester, NY 12197

April 4, 2014

Ms. Kimberly D. Bose  
Secretary  
Federal Energy Regulatory  
Commission  
888 First Street, NE, Room 1A  
Washington, D.C. 20426

Us Army Corps of Engineers  
New York District CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3rd  
Floor  
Watervliet, New York 12189-4000

Re: Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR

IND  
498-  
1

When I use brackets [ ] in a quoted, I use it to let the reader know that I have used **bold** or underline to emphasize something and when I add my comment it is always *italicized*.

Senator Jay Rockefeller, D-WV,["**Natural gas transmission is relatively safe but that is like saying that flying is safe until your plane goes down,**". ]

From: <http://www.forbes.com/sites/kensilverstein/2013/01/29/pipeline-explosion-rattles-natural-gas-industry/>

Comment to the FERC regarding the failure of the DEIS to substantively address the public health and property risks.

I believe that the project CP13-499 should be stopped as the "*Potential Impact Radius*" (*PIR*) is unrealistic and was unduly influenced by a public relations gas industry initiative and needs to be changed to reflect reality.

In a quotation [brackets, underlining, bold or my comments are in italicized] are mine.

IND  
498-  
2

From the Constitution Pipeline (CP) and Wright Interconnect Project DEIS.pdf (CPWI)

2.1.1. "The maximum allowable operating pressure (MAOP) for the new pipeline [CP] would be 1,480 pounds per square inch gauge (psig)."

IND498-1

See the response to comment IND13-3 regarding safety. The commentor's statement regarding the potential impact radius is noted. The equation to calculate the potential impact radius is provided by regulations at 49 CFR 192.903(4)(c).

IND498-2

The commentor's statements regarding the Carlsbad, New Mexico incident are noted. The potential impact radius calculation is defined by the DOT and cannot be changed by the Commission. The definition of a high consequence area (HCA) as defined by DOT is described in section 4.12.1 of the EIS. A summary of pipeline incidents can be found in section 4.12.1 of the EIS.

Individual Comments

# INDIVIDUALS

## IND498 – Clark J. Rhoades (cont'd)

20140407-5214 FERC PDF (Unofficial) 4/7/2014 11:01:09 AM	
IND 498-2 cont'd	<p>CPWI .pg.4-195 "As previously discussed, the proposed projects would be designed and constructed in accordance with or to exceed the DOT <i>Minimum Federal Safety Standards</i> in 49 CFR 192."</p> <p>Foot note 6 "The potential impact radius is calculated as the product of 0.69 and the square root of the MAOP of the pipeline in pounds per square inch multiplied by the pipeline diameter in inches."</p> <p>Foot note 7 "The potential impact circle is a circle of radius equal to the potential impact radius."</p> <p><b>The PIR is very important in identifying the class and the High Consequence Area (HCA) or as I like to think of it as the "High Casualty Area". We must test the formula on a real pipeline rupture to see if the formula fully predicts the observed results or if the radius presented is inadequate for planing and safety.</b></p> <p><b>The El Paso Pipeline failure in Natural Gas Pipeline Rupture and Fire Near Carlsbad, New Mexico August 19, 2000. NTSB/PAR-03/01, (NTSB/PAR-03/01)</b></p> <p>"Accident Synopsis</p> <p>At 5:26 a.m., mountain daylight time, on Saturday, August 19, 2000, a 30-inch-diameter natural gas transmission pipeline operated by El Paso Natural Gas Company (EPNG) ruptured adjacent to the Pecos River near Carlsbad, New Mexico."</p> <p>"Factual Information:"</p> <p>"Pg. 4. Figure 4. Aerial view of accident site looking east."</p> <p>Pg. 9. "The victims were camped about 675 feet from the crater, between the crater and the river."</p> <p>Pg. 10. "The force of the ruptures and the violent ignition of the escaping gas created a 51-foot-wide crater about 113 feet along the pipe. ..."</p> <p>Pg. 11. INJURIES</p> <p>"All 12 persons who were camping on the east bank of the Pecos River were fatally injured in the accident. The causes of death were extensive thermal burns, carbon monoxide poisoning, and smoke inhalation."</p>

S-1853

# INDIVIDUALS

## IND498 – Clark J. Rhoades (cont'd)

20140407-5214 FERC PDF (Unofficial) 4/7/2014 11:01:09 AM	
IND 498-2 cont'd	<p>Pg.12. DAMAGES –</p> <p>"The two pipelines that were being supported on the bridges...fell and came to rest on the ground on each side of the river, but neither leaked...The three vehicles and the camping equipment on the east side of the river were destroyed, and vegetation along both riverbanks was burned. Based on the photographs taken of the fire as it engulfed the suspension bridges, the height of the flame was calculated to be about 496 feet."</p> <p>Pg. 16 " The pipeline was operating at approximately 675 pounds per square inch gauge (psig) , at the time of the accident."</p> <p><i>What is it really like to be involved in a pipeling exploding?</i></p> <p>The following may give you some idea from both the victims and the rescuers peerspective.</p> <p>From: <a href="http://q.b5z.net/i/u/10097949/h/Carlsbad_NM_Pipeline_Blowout_MIC_.htm">http://q.b5z.net/i/u/10097949/h/Carlsbad_NM_Pipeline_Blowout_MIC_.htm</a></p> <p>"When responders heard screams from the direction of the river, three firefighters under the command of Carlsbad Deputy Fire Chief Mike Shannon "ran toward the screams [<i>in the Pecos River</i>],..." [<i>Her mother</i>] "Amanda ...told firefighters at the riverbank that she and Kirsten had been sleeping in a pickup when her husband, Terry, woke her and told her to run for the river. She said she was 'already on fire' when she jumped out of the truck with Kirsten." Kelly Hicks, a Carlsbad Fire Department lieutenant, was already climbing out with 5-year-old Kirsten Sumler in his arms," ... "Together, the two got the badly burned girl into an ambulance and set out for Carlsbad. Inside the ambulance, filled with the smell of burned flesh and hair, they worked to support the child during the desperate trip to Carlsbad. Both recalled that she was still conscious for much of the 30-mile trip, crying and talking to them of her pain..." "Firefighters found the bodies of Tamber, Timber and Kelsey with the residue of a playpen melted around them.. " "...Six others (three women, two men and Kirsten) made it to the river and tried to swim away from the searing heat of the fire, getting downstream about 1000 feet. The causes of death of all twelve victims were thermal burns, carbon monoxide poisoning, and smoke inhalation."</p> <p>From: Copyright 2003 by The Associated Press. All Rights Reserved</p> <p>A group of firefighters and rescue workers who responded to the pipeline explosion near Carlsbad sued El Paso Natural Gas Company. ["<b>The 46-page lawsuit says the plaintiffs suffered physical and emotional pain and were subjected to</b></p>

S-1854

# INDIVIDUALS

IND498 – Clark J. Rhoades (cont'd)

20140407-5214 FERC PDF (Unofficial) 4/7/2014 11:01:09 AM	
IND 498-2 cont'd	<p>horrific traumatizing circumstances while fighting the fire and trying to help the victims.”]</p> <p>I chose the El Paso Pipeling failure as it had in it an air photograph, that allowed me to measure distances, and detailed analysis of most aspects of the explosion. I used it in the following document to understand the effects and inadequacy of the current PIR.</p> <p><a href="http://elibrary.FERC.gov/idmws/file_list.asp?accession_num=2030222-4002">http://elibrary.FERC.gov/idmws/file_list.asp?accession_num=2030222-4002</a></p> <p>My Exhibit C. (attached) which is an air photograph, NTSB/PAR—03/01 (pg.4, Fig. 4) that showed the explosion site and the three vehicles parked in a circle and that was given to be 675 feet. That allowed me to calculate the <b>minimum</b> distance of the burnt foliage along the other side of the riverbank and the <b>minimum</b> distance that the steel pipes had been blown off the cement bridge. The reason I put <b>minimum</b> in bold is that it is only as far as I could determine by the limitations of the photograph. It may have been much farther but I want only to use facts.</p> <p>This is my narrative of the of the El Paso explosion.</p> <p><b>1. At the time of the explosion the El Paso 30 inch pipeline, was operating as 675 psi which formula in 192.904 would give the Potential Impact Radius of 537 feet. Yet, 138 feet (26%) further away at 675 feet, were 12 people camping. All died even though there was a river 100 feet away. 6 died so quickly that some didn't even get out of their vehicles and the children were left in their playpen. The 6 that were able to jump into the river were so badly burned that they died horribly.</b></p> <p><b>The firemen who came to rescue the victims, where so traumatized by by the degrees of burns that made victims look like mummies and the agony of those in the river who were about to die, sued the El Paso pipeline co. for psychological trauma.</b></p> <p><b>2. 1100 feet away 2, 30" steel pipes, attached to a cement bridge, were blown off.</b></p> <p><b>3. Green vegetation along the bank of the Pecos River was burnt at least 2025' away from point of failure. This was not due to being consumed by fire but by the infrared radiation that dried out the</b></p>

S-1855



# INDIVIDUALS

## IND498 – Clark J. Rhoades (cont'd)

IND 498-2 cont'd	<div data-bbox="149 196 659 212">20140407-5214 FERC PDF (Unofficial) 4/7/2014 11:01:09 AM</div> <p><b>leaves and bark and then caused them to burn and would cause third degree burns and have killed anyone there. I called this the Minimum Kill Zone (MKZ) of the El Paso pipeline.</b></p> <p>4. "The force of the ruptures and the violent ignition of the escaping gas created a 51-foot-wide crater about 113 feet along the pipe. ..." 1. I am going to quibble about the "violent ignition" as it occurred 24 seconds after the initial rupture and 2. Ignition of natural gas takes place approximately between 5 and 15 % concentration with air. The crater would have been 100% full of natural gas and been unable to ignite. I contend the the crater was caused only by the escaping gas from the two broken ends of the pipe.</p> <p>I applied the formula in 192.904_ to the CP and the Potential Impact Radius is 796 feet.</p> <p>If a formula does not predict reality, then the formula is wrong!</p> <p>Lets try estimating what would be the real world impact of the CP to people and property.</p> <p>Since the CP 30 inch pipeline had a 219% hight pressure the the El Paso 30 inch pipeline we can roughly extimate the effects of a rupture in a similar environment under similar conditions. But remember the distances were limited by the air photo.</p> <p>1. At 1478 feet away from the pipeline there would be 100% mortality even if you had a river 100 feet away to jump in. FERC is really good at mitigating when things when they go bad. Would a baby born the exact moment in Bangladesh mitigate your death or would the birth of a cockroach suffice?</p> <p>2. The two 30 inch metal pipes secured to the bridge would have been blown off up to 2400 feet away from the center of the pipeline rupture.</p> <p>I wonder what the force of an explosion would do to a wooden house and glass windows that would blow in. I wonder the percentage of occupants would be inconpacitated or mortally injured by the blast.</p> <p>3. The Minimum Kill Zone for the Constitution Pipeline would be 4435 feet. Look at the bright side, if you are an Olympic sprinter you might survive.</p> <p>4. The crater created by the CP would be approximately 112 feet wide and 247 feet long. Can you imagine how much TNT would have been needed to make a hole that big. But fear not FERC has your back, "4-195 CPWI ["It should be noted that a pipeline rupture does not</p>
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# INDIVIDUALS

## IND498 – Clark J. Rhoades (cont'd)

20140407-5214 FERC PDF (Unofficial) 4/7/2014 11:01:09 AM	
IND 498-2 cont'd	<p>necessarily ignite."]. What ? "... consequences resulting from a natural gas pipeline release ([and subsequent fire]). 123 Oak Ridge National Laboratory, ORNL/TM-2012/411, October 31, 2012, p. xxviii.</p> <p><b>FERC please give the percentage of times that a major transmission line has ruptured and did not have a fire. That would be real information and not Pabulum for babies.</b></p> <p>There is another little thing that bother me and that is why didn't Constitution tell the landowners that they were putting their pipe on about the Potential Impact Radius? Shouldn't landowners adjacent to the pipeline that would be impacted by the Potential Impact Radius also be informed? Don't you think they would have been interested or is that too much information for the little dumb hick landowners to understand.</p>
IND 498-3	<p><b>Is it possible that there might be greater objection to the CP and that is why the general public is not informed of this threat to their safety the resulting reduction of property values?</b> Why do they hide it by (CPWI) 4-197 "Constitution representatives have already met with emergency services departments in four of the counties that would be affected by the proposed projects and they would continue to meet with the departments in all of the counties along the proposed pipeline route annually."</p>
IND 498-4	<p>Now there is one problem that sticks in my craw and that is CPWI, 4-195, "Constitution is still in the process of determining HCAs for the proposed pipeline project." Now FERC and CP have been working on this and have produced 945pg. pdf. and they can't figure out where the High Casualty Areas are, oh I misspoke High Consequences Areas are. But again FERC has your back "4-195 CWPI. [ "<b>The pipeline integrity management rule for HCAs requires inspection of the pipeline every 7 years.</b>"] WOW that makes me feel really comfortable if I lived in a HCA area.</p> <p>4-197 CWPI , " In accordance with the regulations, the pipeline would be patrolled on a routine basis. Constitution committed to walking and visually inspecting the pipeline corridor. These patrols would identify soil erosion that may expose the pipe, dead vegetation that may indicate a leak in the line,... Constitution would also perform (generally) weekly fly-over inspections of the right-of-way..."</p> <p><b>Gee that sounds familiar!</b></p>

IND498-3	See the response to comment LA5-3 regarding property values. See the response to comment LA1-6 regarding emergency services.
IND498-4	The commentor's statements regarding HCAs are noted. The commentor's opposition is noted.



INDIVIDUALS

IND498 – Clark J. Rhoades (cont'd)

20140407-5214 FERC PDF (Unofficial) 4/7/2014 11:01:09 AM

IND 498-4 cont'd

Lets get back to the El Paso Pipeline. (NTSB/PAR—03/01) Pg. 21. Test and Inspections " The line 1103 right-of-way had most recently (before the accident) been inspected on August 11, 2000, by aerial patrol and on August 18, 2000, by ground patrol. Inspectors looked for evidence of leaks (such as discolored soil or dying vegetation), erosion, and excavation near the pipeline. No leaks were reported."

ONE DAY LATER IT BLEW UP!

It is later than one imagines in that the people in the U.S.will rise up and take back their government from large economic interest that are perverting Democracy. FERC can do an important part in seeing that all classes of people are treated fairly. I know, that as individuals you are afraid of loosing your job, but think the consequences to your moral inner self, if a pipeline that you approve against your better judgement kills some people.

Speak up, now is the time to be a patriot.

Sincerely,

Clark J. Rhoades

S-1858

# INDIVIDUALS

IND498 – Clark J. Rhoades (cont'd)

IND498-4  
cont'd

Factual Information 4 Pipeline Accident Report

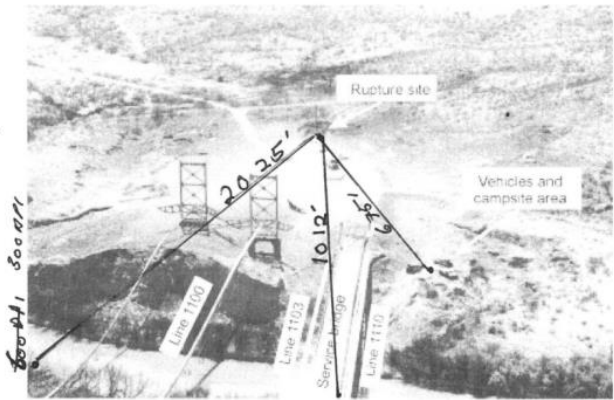


Figure 4. Aerial view of accident site looking east.

end of their 12-hour shifts at the gas control center. One of the controllers was operating the north system and the other the south, while the coordinator assisted the two controllers and performed administrative oversight and served as a backup controller when needed. The two controllers were working at separate SCADA terminals to monitor and control pipeline operations. The employees said they had noted no unusual operating conditions during their shift, and no unusual conditions had been noted during the previous 12-hour shift.

The south system controller, at 5:26 a.m.,<sup>3</sup> received SCADA rate-of-change<sup>4</sup> alarms for the speed of compressor unit No. 3 at the Pecos River compressor station.<sup>5</sup> Less than a minute later, compressor unit No. 1 at the station shut down, quickly followed by the automatic closing and opening of station valves, as appropriate, to isolate the compressor station from the pipeline. Emergency lubricating oil pumps were also automatically activated at the station. A few seconds later, additional alarms from the station displayed on the controller's monitor, including a rate-of-change alarm for falling

<sup>3</sup> Times in this section are based on SCADA event data recorder records, controller logs, and personnel statements and interviews.

<sup>4</sup> Rate-of-change alarms indicate that a measured variable, such as compressor speed or compressor suction pressure, is increasing or decreasing at a rate exceeding what would be expected under normal operating conditions.

<sup>5</sup> The unattended Pecos River compressor station had three turbine compressors.

S-1859

# INDIVIDUALS

## IND499 – Kerry A. Lynch

S-1860

20140407-5219 FERC PDF (Unofficial) 4/7/2014 11:14:29 AM	
April 6, 2014	
Kimberly D. Bose, Secretary The FERC 888 First Street NE, Room 1A Washington, D.C. 20426	US Army Corps of Engineers New York District, CENAN-OP-R Upstate Regulatory Field Office 1 Buffington Street, Bldg. 10, 3rd Floor Watervliet, New York 12189-4000
Re: Docket Nos. FERC CP13-499 and CP13-502; USACE NAN-2012-00449-UBR	
Dear Ms. Bose:	
IND499-1	I live a mile downhill from where the Constitution pipeline would cross our road, and I am strongly opposed to it.
IND499-2	The rights-of-way will scar the countryside and raise the risk of damage from water run-off, floods, and landslides. Construction will compact the soil and damage the roads. The pipeline will create the infrastructure for fracking, which will ruin this beautiful area.
IND499-3	Local people, especially those closest to the pipeline, will get zero economic benefit from it. The company admits only seven new long-term jobs will be created. It says the Amphenol company in Sidney will benefit from the gas and therefore will keep hundreds of jobs here, but Amphenol has a history of moving its Sidney jobs to Mexico, and cheaper fuel won't be enough to stem that tide.
IND499-4	And what about the economic harm that will be done to agriculture, tourism, home values, and home sales? Where is the evidence that the local benefits will outweigh these local costs? It's not in the DEIS, which lacks any serious analysis of the costs. The DEIS relies mainly on research provided by the gas transmission industry, which, to no one's surprise, overlooks costs and even makes the preposterous claim that property values are not hurt by the construction of a pipeline.
IND499-5	Supporters say the pipeline will increase property taxes, but they overlook the impact that lower property values will have on taxes. And it isn't just the properties along the route that will be affected. Nobody will want to buy a home in the much larger blast zone of a pipeline filled with explosive gas, especially given William's terrible safety record (just this past week there were
IND499-6	two more Williams explosions).
IND499-7	The company says the gas will benefit people in New England. But it is just as likely that they will export it. Williams is planning to build a facility to export gas, and the industry is falling all over itself to sell gas abroad, where it fetches a higher price. Politicians are advocating exporting gas as a way to reduce European countries' reliance on Russian natural gas. How can exporting gas, to Europe or anywhere else, possibly qualify as a public benefit? It's a private benefit to the energy industry. If gas is exported, Americans will end up paying MORE for gas.

IND499-1	The commentator's statements in opposition to the proposed projects are noted.
IND499-2	See the response to comments CO1-4 and IND169-1 regarding erosion and stormwater runoff. See the response to comment CO41-44 regarding landslides. See the response to comment LA1-1 regarding road repairs. See the response to comment LA1-4 and FA4-45 regarding hydraulic fracturing.
IND499-3	See the response to comments IND106-1 and CO50-55 regarding benefits of the proposed projects. The commentator's statements regarding Amphenol are noted.
IND499-4	See the response to comment IND297-3 regarding agricultural lands. See the response to comment LA5-3 regarding property values. As stated in section 4.9.2 of the EIS, the impacts on tourism due to construction of the proposed pipeline are expected to be minimal.
IND499-5	See the response to comment LA1-1 regarding property tax.
IND499-6	See response to comment CO47-1 regarding William's safety record. See the response to comment IND13-3 regarding safety.
IND499-7	See the response to comment LA7-5 regarding export.

INDIVIDUALS

IND499 – Kerry A. Lynch (cont'd)

20140407-5219 FERC PDF (Unofficial) 4/7/2014 11:14:29 AM

IND499-8

No American should have their land confiscated in order to create profits for a private company, especially a company with a poor safety record that would be transporting explosive gas right past homes and schools, under roads, and through pristine forests and clean water sources.

Please deny the permit.

Kerry A. Lynch  
Registered Intervenor

2354 Pumpkin Hollow Rd.  
Oneonta NY 13820

IND499-8      See the response to comment FA8-3 regarding eminent domain.  
The commentator’s request to deny the proposed projects is noted.

# INDIVIDUALS

## IND500 – John Hviid

John Hviid  
143 Davis Rd  
Summit, NY 12175

April 7, 2014

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3rd Floor  
Watervliet, New York 12189-4000

Re: Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR

- IND500-1

My name is John Hviid, I live at 143 Davis Rd, in the town of Summit.

The evidence shows that the pipeline will bring in the capacity to Hydrfrac along the pipeline. It is stated in the brochure distributed by FERC to the affected land owners. I do not see fracking effects addressed in the EIS. In addition, it is still not clear why the existing pipeline routes cannot be used for the placement of this pipeline. Without a clear explanation I can only conclude that the pipeline company and their associates have other agendas for the route and surrounding properties. Cabot- Williams has presented to their stock holders that building a pipeline in this area would give them the opportunity to explore for additional resources from the Marcellus Shale. The fact that Constitution is not using existing pipeline routes is further evidence that Cabot Williams and their associates may want to frack. How can the EIS not address fracking as part of the cumulative impact that the pipeline will have on the land along this pipeline?
- IND500-2

If this pipeline is approved, will the guidelines for monitoring the pipeline be created by Constitution or by the government? If the pipeline is approved, I would like an independent agency monitoring the pipeline, one without an interest. As a resident of this county for many years, I witnessed first hand the affects of a pipeline accident. The people who still live around that pipeline or any pipeline and are still vulnerable to future accidents. There is a lack of monitoring on the existing pipeline in this area and seems to be no enforcement from the government or any other independent agency. What would make this new pipeline different? Who would enforce the pipeline company to regulate the safety and maintenance of this pipeline, that would be located so close to my home and so many others.
- IND500-3

The route of this pipeline cuts my property in half. If the pipeline company decides that the pipe is at risk and the land around the pipe is fenced off, how do I access the remainder of my property? It would be deemed worthless. What would be the cumulative impacts of the properties if the pipeline had to be protected? How would the landowners be additionally compensated?

- IND500-1

See the response to comments LA1-4 and FA4-45 regarding hydraulic fracturing. Section 3.2 of the EIS provides a discussion of the feasibility of using existing pipeline systems and modifying existing pipeline systems to meet the proposed project objectives. See the response to comment CO43-8 regarding collocation.
- IND500-2

The commentor’s request for independent monitoring is noted. See the response to comment IND13-3 regarding safety. See the response to comment IND239-2. See the response to comment IND385-7 regarding monitoring and valves.
- IND500-3

Pipeline right-of-ways are not generally fenced off. As part of their individual easement agreements with Constitution, landowners may negotiate the use of fencing and any additional compensation.

INDIVIDUALS

IND500 – John Hviid (cont’d)

IND500-4 I recently became aware of a decision in Kentucky regarding eminent domain. It is encouraging that a judge recognized that the pipeline was being used to benefit the company as opposed to the people. The judge decided that the gas company could not take land through eminent domain for the profit of a private corporation. I realize this is a case based on a state level. But shouldn't the people of New York have similar rights as other states regarding eminent domain? Constitution Pipeline is clearly trying to take land away from the people for their own profits and to be able to choose what they want to do with the gas they are transporting through the land they have taken against the peoples will. The majority of people along this pipeline would not benefit from the gas being transported. The compensation they are offering for us to forfeit our land is insulting.

Sincerely,  
Name

IND500-4 See the response to comment FA8-3 regarding eminent domain. The commentor appears to be referencing the case *Kentuckians United to Restrain Eminent Domain, Inc. v. Bluegrass Pipeline Company, LLC*. The Bluegrass Pipeline would transport natural gas liquids and these facilities do not fall under the NGA. Facilities certificated under the NGA can convene the use of eminent domain to the applicant.

# INDIVIDUALS

## IND501 – Patrick Rider

Patrick Rider  
Greenane Farms  
5637 Turnpike Road  
Delhi, NY 13753

April 7, 2014

Kimberly D Bose, Secretary US Army Corps of Engineers  
The FERC New York District, CENAN-OP-R  
888 First Street NE, Room 1A Upstate Regulatory Field Office  
Washington D.C. 20426 1 Buffington Street Bldg 10, 3rd Floor  
Watervliet, New York 12189-4000

Re: Docket Nos.CP13-499 and CP13-502: NAN-2012-00449-UBR

IND501-1 I am a farmer working lands in Davenport, Franklin, East Meredith, Meredith, and Delhi. Our family derives 100% of our income from our farming activities. Our family farm provides employment and the primary source of income to several other families. We sell our products primarily to customers in and around New York City. A majority of these customers have expressed their deep concern about the environmental impact of the proposed constitutional pipeline and of fracking for gas. Many of them have informed us in no uncertain terms that they will not purchase our farm products if pipeline and fracking activities are conducted in our area. This of course would significantly and negatively affect our farm and likely result in our inability to continue farming activities and providing employment and livelihood to the families that depend on the farm.

I have looked to the DEIS report for help in answering my customer’s concerns but even I believe that there are too many unanswered questions in the 945 page DEIS report and too little time to address them.

On behalf of our family farm and the families that earn a living from our farm I respectfully ask FERC to extend the comment period to allow a more thorough evaluation of the DEIS content.

Your immediate attention to this would be greatly appreciated.

Thank you,  
Patrick Rider  
Greenane Farms

IND501-1 See response to comment FA1-1 regarding extension of the comment period. See the response to comment IND297-3 regarding agricultural lands.

**INDIVIDUALS**  
**IND502 – William Huston**

20140407-5230 FERC PDF (Unofficial) 4/7/2014 10:12:56 AM

Kimberly D. Bose, Secretary  
Federal Regulatory Energy Commission  
888 First Street NE., Room 1A  
Washington, D.C. 20426

RE: Comments on FERC Docket Nos. CP13-499-000 and CP13-502-000, Constitution Pipeline Project and Wright Interconnect Project Draft Environmental Impact Statement

Dear Secretary Bose:

IND502-1

I am an intervenor in the above captioned project.  
  
I join the Kernan Land Trust, the NY State Department of Environmental Conservation, EarthJustice, Catskill Mountainkeeper, Clean Air Council, Delaware-Otsego Audubon Society, Delaware Riverkeeper Network, Riverkeeper, Inc., Sierra Club, Stop the Pipeline, Trout Unlimited, and many individuals, citizens, landowners and intervenors in requesting an extension of time of the comment period and to hold additional public hearings.  
  
This is due to many problems with the application, draft EIS, and barriers to public participation in this process, including,  
  

1. Many inconsistencies, defects, and omissions within the application and draft EIS

2. Late modifications of the project plan (e.g., radio towers) by the applicant,

3. Union bullies which were bused in to the hearings last week, sometimes over 100 miles away, in order to take time which local residents, landowners, and intervenors would have used to make comments on the draft EIS

  
The Federal Energy Regulatory Commission as lead agency must assess the potential environmental effects of the construction and operation of the projects in accordance with the requirements of the National Environmental Policy Act (NEPA).  
  
Please grant these numerous requests for an extension of time in the comment period to allow us to make the record complete, as well as compelling the applicant Williams Partners, Cabot Oil+Gas, Piedmont Energy, and WGL Holdings (collectively, "Constitution Pipeline") to submit the numerous missing documents requested by the above parties.  
  
Kindest Regards  
/signed/  
William Huston,  
PO Box 2873, Binghamton NY 13902  
  
Please direct all replies electronically to: WilliamAHuston@gmail.com

IND502-1      See response to comment FA1-1. See the response to comment SA2-1 regarding the communication towers. See the response to comment CO50-108 regarding the comment meetings.



INDIVIDUALS  
IND503 – Dianne Sefcik

Dianne Sefcik, Registered Intervenor  
194 Clickman Rd  
Westerlo, NY 12193

April 7, 2014

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3rd Floor  
Watervliet, New York 12189-4000

Re: Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR

IND503-1

**Comment: The DEIS does not justify use of the right of eminent domain**

The Fifth Amendment to the Constitution says “*nor shall private property be taken for public use, without just compensation.*”

Cornell University Law School, Legal Information institute provides the following annotation:

*“Explicit in the just compensation clause is the requirement that the taking of private property be for a public use; the Court has long accepted the principle that one is deprived of his property in violation of this guarantee if a State takes the property for any reason other than a public use.”<sup>1</sup>*

Cabot Oil & Gas describes itself as “*an independent oil and gas company engaged in the development, exploitation and exploration of oil and gas properties exclusively in the continental United States.*”<sup>2</sup>

It is not a public utility, but a private company invested in shale gas development.

I have commented previously on the mis-representation of end-markets inherent in this application. Shale gas developers can, have and will fulfill their corporate mandates to their shareholders by putting profit above public responsibility. They have the right and by corporation law, it seems to me, the requirement to maximize profits and sell their products to the highest bidder. Domestic markets are disadvantaged by this practice.

Nowhere in this DEIS does it say that the pipeline will be used exclusively for the benefit of the *American public*, so the basis for the exercise of eminent domain is flawed. The

<sup>1</sup> Cornell University Law School, Legal Information Institute,  
([http://www.law.cornell.edu/anncon/amt5b\\_user.htm#amt5b\\_hd23](http://www.law.cornell.edu/anncon/amt5b_user.htm#amt5b_hd23))

<sup>2</sup> <http://www.cabotog.com/about-cabot/>

IND503-1

The commentor’s statement regarding eminent domain is noted.  
See the response to comment FA8-3 regarding eminent domain.

S-1866

**INDIVIDUALS**

**IND503 – Dianne Sefcik (cont'd)**

IND503-1  
cont'd

forced taking of private lands is not justified in an application that clearly benefits private corporations at the expense of constitutional rights of U.S. citizens and private property owners.

This is an abuse of the right of eminent domain.

Sincerely,  
Dianne Sefcik

# INDIVIDUALS

IND504 – Anne Marie Gartl

Attachments associated with this comment have not been included as they do not apply to the Constitution Pipeline. These attachments can be found on the FER eLibrary: [http://elibrary.FERC.gov/idmws/file\\_list.asp?accession\\_num=20140407-5252](http://elibrary.FERC.gov/idmws/file_list.asp?accession_num=20140407-5252)

Anne Marie Gartl  
814 Frisbee Road  
East Meredith, NY 13757

April 7, 2014

VIA eFiling to FERC in Docket No. CP13-499  
VIA email to US Army Corps of Engineers

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426

Jodi M. McDonald  
Chief, Regulatory Branch  
US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3rd Floor  
Watervliet, New York 12189-4000

IND504-1

**Re: Report on the Need for the Proposed Constitution Pipeline  
Comments on the Draft Environmental Impact Statement  
Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR**

Dear Secretary Bose and Ms. McDonald:

Attached please find a Report on the Need for the Proposed Constitution Pipeline, which is being submitted as a comment on the Draft Environmental Impact Statement for the proposed Constitution Pipeline Project. Once FERC assigns an accession number for this report, I will upload supporting documentation to the docket, in case it is needed in future hearings.

Thank you for this opportunity to comment.

Sincerely,



Anne Marie Gartl

IND504-1

The commentor's introduction and credentials are noted..

S-1868

# INDIVIDUALS

IND504 – Anne Marie Garti (cont'd)

IND504-1  
cont'd

**Report on the  
Need for the Proposed Constitution Pipeline**

**Analysis of the  
Draft Environmental Impact Statement  
Federal Energy Regulatory Commission (FERC)**

**FERC EIS 0249D - - February 2014  
Docket Nos.: CP13-499; CP13-502; PF12-9**

Prepared by Anne Marie Garti, Esq.  
Information Analyst  
April 7, 2014

S-1869

INDIVIDUALS

IND504 – Anne Marie Garti (cont’d)

Table of Contents

IND504-1 cont'd	I.	Introduction	3
	II.	Credentials	3
	III.	FERC states the market for the gas is in New York City and New England	3
	IV.	FERC’s analysis is contingent upon a starting and end point for the proposed pipeline that appears unrelated to the use of gas in New York City and New England	4
	V.	Gas cannot reach NYC and New England from Wright, NY because the interconnecting pipelines do not have room to accept 650,000 Dth/day of gas	6
	VI.	The gas will be exported to Canada, and from there can be transported overseas	10
	VII.	The proposed project is driven by excess supply, not market demand	19
	VIII.	Recently completed and planned projects satisfy market demand	20
	IX.	Potential local use is overstated, speculative, and unfair to landowners	23
	X.	Conclusion	26

INDIVIDUALS

IND504 – Anne Marie Garti (cont’d)

S-1871

IND504-1 cont'd	<p><b>I. Introduction</b></p> <p>This report is an analysis of the need for the proposed Constitution Pipeline. The Federal Energy Regulatory Commission (“FERC”) repeatedly declares in its Draft Environmental Impact Statement (“DEIS”) that the market for this gas would be in New York City and New England. This statement, as well as others made in the DEIS, are compared with information found in other documents, such as studies performed by government agencies, information provided by the industry, and reports of industry consultants. The picture that emerges from this analysis is that the gas that would be shipped through the proposed pipeline would not be consumed in New York City and New England. Instead, most of it would be exported.</p> <p><b>II. Credentials</b></p> <p>Anne Marie Garti was an information analyst and an interface and software designer for over two decades. Her clients ranged from start-ups to established corporations and institutions, including Citibank, IBM, Lucent Technologies, RCA Labs, National Gallery of Art, and Metropolitan Museum of Art.</p>
IND504-2	<p><b>III. FERC states the market for the gas is in New York City and New England.</b></p> <p>The statements made in FERC’s DEIS are consistent and repetitive: the gas in the proposed pipeline would be consumed in New York City and New England:</p> <p>“According to Constitution, the proposed pipeline project was developed in response to natural gas market demands in the New York and the New England areas...”<sup>1</sup></p> <p>“Any system alternative for the projects would need to be able to transport similar volumes of natural gas to the vicinity of the existing Wright compressor station or to the ultimate market destinations of New York and New England.”<sup>2</sup></p> <p>“According to Constitution, the proposed pipeline project was developed in response to market demands in New York and the New England area. . . .”<sup>3</sup></p> <p>“this new natural gas supply for New York and New England markets”<sup>4</sup></p> <p>FERC’s statements reflect what was included in the application and draft resource reports of the Constitution Pipeline Company, LLC (“Company”). It should be noted that the application was submitted under oath by Scott Turkington, Director, Rates and Regulatory,</p> <p><sup>1</sup> FERC, <i>Draft Environmental Impact Statement</i>, ES-1 (Feb. 2014), available at <a href="http://elibrary.ferc.gov/idmws/file_list.asp?accession_num=20140212-4002">http://elibrary.ferc.gov/idmws/file_list.asp?accession_num=20140212-4002</a> [hereinafter DEIS].</p> <p><sup>2</sup> <i>Id.</i> at ES-11.</p> <p><sup>3</sup> <i>Id.</i> at 1-1.</p> <p><sup>4</sup> <i>Id.</i> at 3-2.</p> <p>Garti –Report on Need for Project – CP13-499</p> <p>3</p>

IND504-2                      See the responses to comments LA7-5 and CO26-18.

# INDIVIDUALS

## IND504 – Anne Marie Gartl (cont'd)

IND504-2  
cont'd Williams Gas Pipeline Company, LLC.<sup>5</sup> Submission under oath is a requirement of Rule 2011(c)(5) of the Commissions Rules of Practice and Procedure, 18 C.F.R. 385.2011(c)(5).

IND504-3 **IV. FERC's analysis is contingent upon a starting and end point for the proposed pipeline that appears unrelated to the use of gas in New York City and New England.**

In the DEIS, FERC states "The proposed projects would deliver up to 650,000 dekatherms per day (Dth/d) of natural gas supply from Susquehanna County, Pennsylvania to the interconnect with the TGP and Iroquois systems at the existing Wright Compressor Station (to markets in New York and New England)."<sup>6</sup> With that sentence, FERC appears to adopt the Company's assumption that the project is contingent upon a starting point in Susquehanna County, Pennsylvania, near Williams' new Central Compressor Station, which was authorized under state law, and ending in Wright, NY, near Iroquois' Compressor Station, which would be expanded under a current, and simultaneous, environmental review by FERC, under docket no. CP13-502.

FERC reasserts its commitment to these starting and end points in Section 3.2 **System Alternatives**. There FERC states that system alternatives would only be practical, and economical, if they start in Susquehanna County, Pennsylvania, and end in Wright, NY.

Two of the Applicants' objectives that are **crucial** to the evaluation of system alternatives would be their ability to:

- deliver up to 650,000 Dth/d of natural gas supply from Susquehanna County, Pennsylvania to the interconnects with the Iroquois and TGP systems at the existing Wright Compressor Station (or otherwise delivery of the same amount of natural gas to the destination markets through other means); and
- expand access to new sources of natural gas supply, thereby increasing supply diversity and improving operational performance, system flexibility, and reliability in the New York and New England market areas.<sup>7</sup>

FERC does not justify why the proposed route must terminate approximately a hundred and fifty miles north of New York City, when the stated market for the gas is in New York City, except to say that it conforms to the Company's stated objectives.

FERC then engages in an analysis of potential system enhancements and co-location options within and along a series of existing pipeline routes, depicted in **Figure 3.2.1-1, Constitution Pipeline Project, Relative Location to Other Projects Overview Map**.<sup>8</sup>

<sup>5</sup> Constitution Pipeline Company, LLC, *Application for Certificate of Public Convenience and Necessity*, pdf p. 25 (June 13, 2013), available at [http://elibrary.ferc.gov/idmws/file\\_list.asp?accession\\_num=20130613-5078](http://elibrary.ferc.gov/idmws/file_list.asp?accession_num=20130613-5078) [hereinafter Application].

<sup>6</sup> DEIS at ES-1. (TGP refers to the Tennessee Gas Pipeline.).

<sup>7</sup> *Id.* at 3-13. (Emphasis added.)

<sup>8</sup> DEIS, Figure 3.2.1-1.

IND504-3

See the response to comment CO42-41. See the response to comment FA4-18 regarding system and collocated alternatives. See the responses to comments LA7-5 and CO26-18 regarding destination markets.

INDIVIDUALS

IND504 – Anne Marie Garti (cont'd)

IND504-3  
cont'd



FERC deems all of the options for system enhancements and alternatives infeasible, or not preferable to the proposed route. No detailed, side-by-side comparisons are made of environmental impacts of these alternate routes to the preferred route, and no explanation is made as to why all of the alternatives must end in Wright, NY.<sup>9</sup>

There is a clause contained within the Company’s objectives that states “(or otherwise delivery of the same amount of natural gas to the destination markets through other means)”.<sup>10</sup> By including this clause, FERC implies that the goal of the proposed project is to deliver gas to New York City and New England. However, FERC dismisses the possibility of routing the pipe to the east, and only analyzes alternatives that would deliver gas from Susquehanna County, Pennsylvania to Wright, NY. This makes all of the alternative routes that FERC considers in the System Alternatives section longer and more expensive.

Many system alternatives are missing from the analysis. For example, if a 124-mile long pipeline were to run from Susquehanna County, Pennsylvania to the southeast, instead of to the northeast, it would almost reach its market destination in New York City. FERC’s dismissal of the possibility of moving the gas east to New York City, and then north to New England, along the existing Millennium, TGP 200, or Transco pipeline easements, is based on the opinion that those options “would be constrained by the high level of development within New York City and the surrounding area.”<sup>11</sup> However, recent events call that judgment into question. Williams, which owns Transco, and is a partner in the Company, recently announced its plans to construct a new pipeline, collocated with the Transco line

<sup>9</sup> DEIS at 3-15 – 3-23.

<sup>10</sup> *Id.* at 3-13.

<sup>11</sup> *Id.* at 3-19.



# INDIVIDUALS

## IND504 – Anne Marie Gartı (cont'd)

S-1874

IND504-3  
cont'd

part of the distance towards New York City.<sup>12</sup> In addition, other pipelines were recently constructed through high-density areas into Manhattan, and surrounding areas.<sup>13</sup> In June 2013 Spectra prefiled an application to increase its capacity on the Algonquin pipeline, which runs just north of New York City to New England.<sup>14</sup> If these pipeline companies can move gas east and north, through areas with a “high level of development”, then FERC needs to explain why the Company whose application is under review in this DEIS cannot do the same.

IND504-4

**V. Gas cannot reach NYC and New England from Wright, NY because the interconnecting pipelines do not have room to accept 650,000 Dth/day of gas.**

FERC states in the DEIS that there is a need for additional pipelines to New York City and New England, but the supporting documentation provided in the DEIS is out-of-date and misleading. According to the project description, the “‘Iroquois’ project would provide additional compression allowing delivery of up to 650,000 Dth/d of natural gas from the terminus of the proposed Constitution pipeline into the existing Iroquois and the TGP systems.”<sup>15</sup> However, both the Iroquois and Tennessee Gas Pipelines (“TGP”) are congested into New York City and New England, and are therefore incapable of moving the gas that would be transported in this new pipeline to those markets.

New pipeline capacity has been added in Pennsylvania, New Jersey, along the east coast of New York State, and in Western New York State, but no new projects have been built in Central New York State. Thus there are still constraints where the Company’s proposed pipeline would terminate. In other words, while FERC states that the proposed pipeline must terminate in Wright, NY, there is no way to move 650,000 Dth/day of gas from that point to New York City and New England because the two pipelines that would transport it are already full, particularly at the times of the year when gas is most critically needed.

In the fall of 2013, Levitan and Associates, Inc (“Levitan”) issued a study of pipeline capacity in the New York Control Area (“NYCA”).<sup>16</sup> The Levitan assessment has three objectives, the first of which is “to analyze historical pipeline congestion patterns across NYCA.”<sup>17</sup> The overall conclusion of the report is that “New York State’s natural gas infrastructure is large, dynamic and more than adequate to serve the requirements of entitlement holders.”<sup>18</sup>

<sup>12</sup> Williams Partners Transco Receives Binding Commitments for 1.7 Million Dekatherms per Day of Firm Natural Gas Pipeline Capacity on Its Proposed Atlantic Sunrise Expansion, MARKET WATCH (Feb. 20, 2014), available at [http://www.marketwatch.com/story/skycross-reveals-new-products-and-technology-platform-as-well-as-partnership-program-to-advance-development-of-next-generation-wireless-broadband-front-end-solutions-2013-02-20?reflink=MW\\_news\\_stmp](http://www.marketwatch.com/story/skycross-reveals-new-products-and-technology-platform-as-well-as-partnership-program-to-advance-development-of-next-generation-wireless-broadband-front-end-solutions-2013-02-20?reflink=MW_news_stmp).

<sup>13</sup> See Section VIII of this report.

<sup>14</sup> Algonquin Gas Transmission, LLC, *Draft Resource Report 1 and Summary of Alternatives under PF13-16* (July 29, 2013), available at [http://elibrary.ferc.gov/idmws/file\\_list.asp?accession\\_num=20130729-5146](http://elibrary.ferc.gov/idmws/file_list.asp?accession_num=20130729-5146).

<sup>15</sup> DEIS at 2-6.

<sup>16</sup> Levitan and Associates, Inc., *NYCA Pipeline Congestion and Infrastructure Adequacy Assessment, New York Independent System Operator*, 3 (September 2013) [hereinafter Levitan]. (The Levitan assessment is attached.)

<sup>17</sup> Levitan at 1.

<sup>18</sup> *Id.* at 20.

IND504-4

See the responses to comments LA7-5 and CO26-18.

INDIVIDUALS

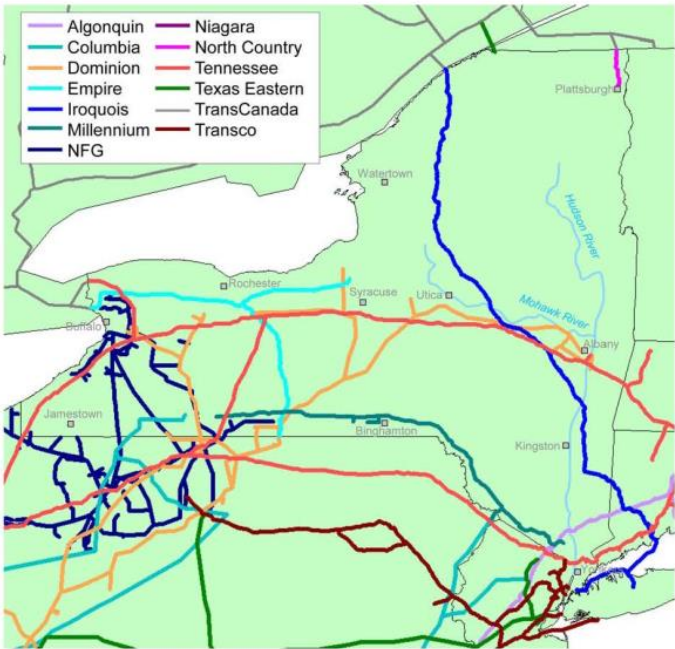
IND504 – Anne Marie Garti (cont'd)

IND504-4  
cont'd

Although NYCA has experienced increasing congestion levels on key transport paths in recent years, upcoming infrastructure expansions bringing Marcellus gas to market will materially increase infrastructure capability in the heart of the market, thereby lessening concerns over grid security related to fuel assurance.<sup>19</sup>

However, Wright, NY is not “in the heart of the market” and the Iroquois and Tennessee Gas Pipelines, which would interconnect with the “Constitution” pipeline, do not have room to accept the gas that would be transported by the proposed project to their stated destinations.

Figure 1. Natural Gas Pipeline Network in NYCA<sup>20</sup>



<sup>19</sup> Levitan at 1.

<sup>20</sup> *Id.* at 3.

S-1875

# INDIVIDUALS

## IND504 – Anne Marie Garti (cont'd)

IND504-4  
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For those unfamiliar with how the gas transmission business operates, pipeline companies generally have long-term firm contracts with Shippers, and short-term non-firm contracts with other purchasers, such as electric utility companies, who can buy gas on the spot market when there is sufficient room in the pipe above that day's demand by the firm Shippers. Once pipelines begin to reach full capacity, which normally occurs in the cold winter months in the north, prices can spike. During those periods, utility companies either use an alternative fuel, or pay a premium price for gas.

As part of its assessment, Levitan analyzed the congestion patterns of both the Iroquois and Tennessee Gas Pipeline 200 Line ("TGP"). Congestion doesn't have a precise definition, so Levitan applied utilization rates of 90% and 95% of available capacity as an indication of congestion.<sup>21</sup> Rates higher than that "are most likely to constrain the flow of natural gas to non-firm shippers in the relevant zones."<sup>22</sup>

The Iroquois Pipeline is owned by five corporations, including TransCanada Corp. ("TransCanada"), Dominion, and National Grid.<sup>23</sup> It runs from Waddington, at the New York and Canadian border, down to Long Island, and traditionally the gas flowed from Canada, at the north end, down to the New York metropolitan area at the south end. The Iroquois Pipeline has interconnections with TransCanada at Waddington, NY, with Dominion at Canajoharie, NY, with Tennessee at Wright, NY, and with the Algonquin at Brookfield, CT.<sup>24</sup> However, because it operates at higher pressures than some of these pipelines, Iroquois can only deliver gas at Waddington to TransCanada and at Brookfield to Algonquin, at its northern and southern ends.<sup>25</sup> It's capable of transporting 1,200,000 Dth/day of gas, almost twice the capacity of the proposed "Constitution" pipeline.

Both Brookfield and Waddington have high utilization rates during the winter months, with Brookfield also experiencing some congestion during the summer because of its proximity to the New York metropolitan area.<sup>26</sup> Therefore Iroquois could accept gas from the proposed "Constitution" pipeline from April through October, but gas is not needed during those seasons. During cold winter months, when there is a potential need for gas, there is not enough room on the Iroquois to accept the gas that would be transmitted on the proposed "Constitution" pipeline.

Congestion also exists on the Tennessee Gas Pipeline 200 Line, and at Station 245, near Wright, NY. **The congestion exists year round.**<sup>27</sup>

<sup>21</sup> Levitan at 38.

<sup>22</sup> *Id.*

<sup>23</sup> *Partners in Natural Gas Transportation*, IROQUOIS, available at <http://www.iroquois.com/natural-gas-transporters.asp>.

<sup>24</sup> Iroquois, *Natural Gas: Frequently Asked Questions*, available at <http://www.iroquois.com/natural-gas-questions.asp>.

<sup>25</sup> Levitan at 61-62.

<sup>26</sup> *Id.* at 60, 62, 66.

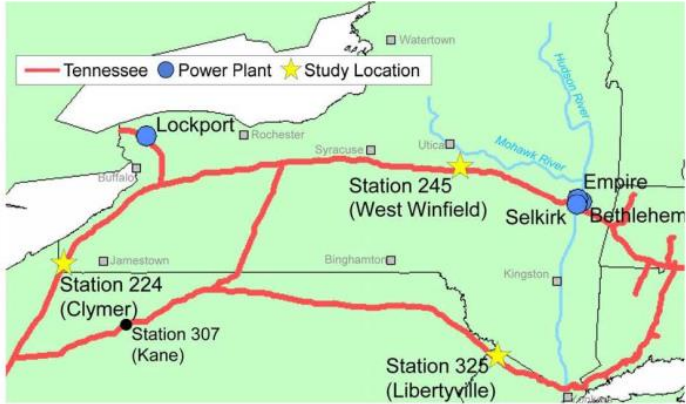
<sup>27</sup> *Id.* at 77. (Emphasis added.)

# INDIVIDUALS

## IND504 – Anne Marie Garti (cont'd)

IND 504-4  
cont'd

Figure 54. Tennessee Pipeline<sup>28</sup>



According to Levitan's assessment,

Station 245 is the principal bottleneck on Line 200, which causes deliveries on Tennessee downstream of Station 245 to be valued at the Tennessee Zone 6 pricing point, an index that is highly correlated with the Algonquin Citygates pricing point. Station 245 experienced pipeline utilization rates of 90% or greater on 588 days during the truncated time series, distributed roughly equally between the heating and cooling seasons.<sup>29</sup>

Since there are no pipelines capable of transporting gas from the proposed "Constitution" pipeline to New York City and New England, those markets should be removed from further consideration in the DEIS. The question that needs to be answered is, if there is no room on the Iroquois and Tennessee Gas Pipelines, then where would the gas from the proposed "Constitution" pipeline go? The answer is on the corporate website of Iroquois. Instead of going to New York City, the gas in the Iroquois pipeline would be exported to Canada.<sup>30</sup>

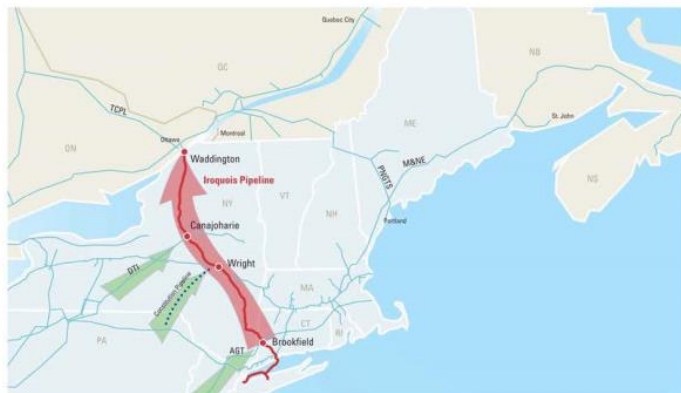
<sup>28</sup> Levitan at 73.

<sup>29</sup> *Id.* at 77.

<sup>30</sup> *South-to-North Open Season Brochure*, IROQUOIS, 1 (Dec. 2013), available at <http://www.iroquois.com/documents/SoNoOSBrochureFinal.pdf>.

S-1877

S-1878

IND504-4  
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## IND504-5

## IND504-5

See the response to comment CO26-18. Leadership positions at FERC are subject to financial disclosures to avoid conflicts of interest.

The network of gas pipelines enables a smooth movement of gas from one pipe to another via established points of interconnection. Much like blood in our vascular system, gas within the network is mixed and mingled, and acts like an integrated and unified whole. This pipeline network is not limited to the United States, but crosses the border into Canada. Until recently gas flowed from Western Canada into the United States. In New York State gas moved from west to east on the TGP 200 Line, and from north to south on the Iroquois. However, over the past three years, these patterns started to change, as the production and distribution of shale gas developed in Pennsylvania and Ohio, and as natural gas supplies in Western Canada diminished and were shifted to extract tar sands oil.<sup>31</sup> These developments were extensively covered in the oil, gas, and pipeline industry journals, and were therefore well known by the pipeline companies, and presumably by FERC. However, this dramatic change in the use of our resources is not in the public consciousness.

Iroquois began transporting gas from Canada into New York State in January 1992.<sup>32</sup> TransCanada, which has a network of 42,500 miles of gas pipelines, owns almost 45% Iroquois.<sup>33</sup>

<sup>31</sup> Sandy Fielden, *Return to Sender No Such Demand Canadian Gas Flows Reverse at Niagara*, RBN ENERGY, LLC (Jan. 24, 2013), available at <https://rbnenergy.com/return-to-sender-no-such-demand-canadian-gas-flows-reverse-at-niagara> [hereinafter *Return to Sender*].

<sup>32</sup> *Iroquois Pipeline Operating Company*, INGAA FOUNDATION, available at <http://www.ingaa.org/Members/789.aspx>.

<sup>33</sup> *Natural Gas*, TransCanada, available at <http://www.transcanada.com/natural-gas-pipelines.html>.

**IND504 – Anne Marie Garti (cont'd)**

**MAJOR CANADIAN, U.S. EXPORT-IMPORT GAS PIPELINES**

This map illustrates the major gas pipeline infrastructure connecting Canada and the United States. Key features include:

- Major Canadian Gas Export Pipelines:**
  - Northern Pipeline:** Connects Alberta to the U.S. coast.
  - Gas Transmission Northwest:** Connects Alberta to the U.S. coast.
  - Northern Border Pipeline:** Connects Alberta to the U.S. coast.
  - Alberta Pipeline:** Connects Alberta to the U.S. coast.
  - Weyburn Gas Transmission:** Connects Alberta to the U.S. coast.
  - Keokuk Gas Transmission System:** Connects Alberta to the U.S. coast.
- Major U.S. Gas Import Pipelines:**
  - Grain Line Gas Transmission:** Connects the U.S. coast to the Midwest.
  - TransCanada System:** Connects the U.S. coast to the Midwest.
  - TransCanada System:** Connects the U.S. coast to the Midwest.
  - TransCanada System:** Connects the U.S. coast to the Midwest.
- Other Pipelines:**
  - Alaska Pipeline:** Connects Alaska to the U.S. coast.
  - Permian Basin Pipeline:** Connects the U.S. coast to the Midwest.
  - Permian Basin Pipeline:** Connects the U.S. coast to the Midwest.
  - Permian Basin Pipeline:** Connects the U.S. coast to the Midwest.

The map also shows major cities and geographical features, including the Canadian provinces of Alberta, Saskatchewan, and Manitoba, and the U.S. states of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Colorado, and New Mexico.

Canada wants gas from the United States for a variety of reasons. The amount of gas being produced in Western Canada is diminishing, being diverted from Eastern Canadian markets to extract tar sands oil, and slated for export, where it can fetch higher prices.<sup>38</sup> In turn, Canada is planning to convert its Mainline from the transport of natural gas, to the transport

<sup>33</sup> *Tide Turns at Niagara from U.S. Imports to Marcellus Shale Exports*, NGI Reports, BUSINESS WIRE, (September 11, 2011), available at <http://www.businesswire.com/news/home/20110913006702/en/Tide-Turns-Niagara-U.S.-Imports-Marcellus-Shale>.

<sup>36</sup> *Id.*

<sup>37</sup> Constitution Pipeline Company, LLC, *Request to Initiate Pre-Filing* (April 2014), [http://elibrary.ferc.gov/idmws/file\\_list.asp?accession\\_num=20120405-5066](http://elibrary.ferc.gov/idmws/file_list.asp?accession_num=20120405-5066).

<sup>20</sup> Bob Bookstaber, 'Deja vu all over again - Northeast Natural Gas, Pipelines and Big Decisions', RBN ENERGY, LLC (Oct. 2, 2012), available at <https://rbnenergy.com/deja-vu-all-over-again-9e2808f93/northeast-natural-gas-pipelines-and-big-decisions>; Return to Sender, NEB Approves Jordan Cove LNG Natural Gas Export License, NATIONAL ENERGY BOARD (Feb. 20, 2014), available at <http://www.neb-one.gc.ca/cfms/rtnb/nws/mwsrsl/2014/mwsrsl08-eng.html>.



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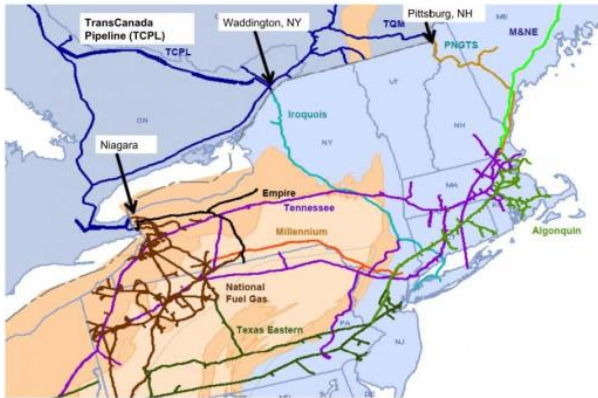
## IND504 – Anne Marie Garti (cont'd)

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of tar sands oil, so it can be exported from the Maritimes, in Northeast Canada.<sup>39</sup> This means that shale gas from the United States is needed to replace the gas from Western Canada that used to supply major cities in Eastern Canada, such as Toronto, Montreal, and Quebec. Finally, shale gas from the United States is cheaper than what can be produced in Canada.<sup>40</sup>

The convergence of these trends lead to an unusual coordination of Open Seasons over the past six months involving pipeline projects in and around Canada and the Northeast.<sup>41</sup> When looked at in totality, there appears to be a master plan that includes overseas exports via existing and planned import and export facilities along the coasts of New England and Maritimes Canada. There are dozens of export applications pending in both countries, and two of the potential LNG facilities are in Nova Scotia.<sup>42</sup> Therefore, an integrated look at the pipeline projects proposed for the Northeast shows that exports to Canada are assured, and LNG exports overseas are reasonably foreseeable.

Major pipelines in the northeast:<sup>43</sup>



<sup>39</sup> *TransCanada To Transport Oil From Western To Eastern Canada*, PIPELINE & GAS JOURNAL (Sept. 2013), available at <http://pipelineandgasjournal.com/transcanada-transport-oil-western-eastern-canada>.

<sup>40</sup> *Tide Turns at Niagara from U.S. Imports to Marcellus Shale Exports*, NGI Reports, BUSINESS WIRE, (September 11, 2011), available at <http://www.businesswire.com/news/home/20110913006702/en/Tide-Turns-Niagara-U.S.-Imports-Marcellus-Shale>, ICF Consulting Canada, Inc., *The Future of Natural Gas Supply for Nova Scotia*, ICF, 4 (March 28, 2013).

<sup>41</sup> An open season is used by pipeline companies to gauge the amount of market interest in existing pipelines, or in potential pipeline expansions. *Natural Gas Pipeline Development and Expansion*, EIA, available at [http://www.eia.gov/pub/oil\\_gas/natural\\_gas/analysis\\_publications/ngpipeline/develop.html](http://www.eia.gov/pub/oil_gas/natural_gas/analysis_publications/ngpipeline/develop.html).

<sup>42</sup> *LNG Export Licence Application Schedule*, NATIONAL ENERGY BOARD, available at <http://www.neb-one.gc.ca/clf-nsi/rthmb/pplctnsbfrthnb/lngxprtlcncpplctns/lngxprtlcncpplctns-eng.html#2>; *North American LNG Import/Export Terminals, Proposed/Potential*, FERC (Sept. 12, 2013), available at <http://www.ferc.gov/industries/gas/indus-act/lng/lng-proposed-potential.pdf>.

<sup>43</sup> Return to Sender.

# INDIVIDUALS

IND504 – Anne Marie Garti (cont'd)

IND504-5  
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There are a number of existing LNG facilities in New England and the Maritimes.<sup>44</sup>



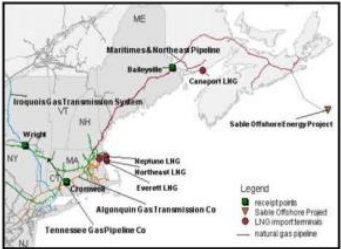
## New England Gas Supply Paths

### Canadian Supply

- East - declining production long term
- East - declining LNG imports
- West - supply constrained, transport cost very volatile

### U.S. Supply

- Marcellus / Utica shale "game changer" prolific supplies
- Tennessee Gas Pipeline – one of two major suppliers to region
- Expanded infrastructure needed



According to Cabot, Tennessee Gas Pipeline also plans to reverse the flow of its 200 Line at, or near, Wright, NY.<sup>45</sup> TGP has an interconnection with TransCanada near Niagara Falls.



<sup>44</sup> Tennessee Gas Pipeline, 2013 Shipper Meeting, 56, KINDER MORGAN (Aug. 14-16, 2013), available at <http://tebb.elpaso.com/TgpLookup/Presentations/08191312-111713-081913112518-2013%20Shipper%20Meeting%20Presentation.pdf>.

<sup>45</sup> Cabot Oil & Gas Corporation, Investor Presentation, 18 (Aug. 12, 2013), available at <http://www.enercominc.com/the-oil-and-gas-conference/presentation-pdf-downloads/>.



# INDIVIDUALS

## IND504 – Anne Marie Garti (cont'd)

IND504-5  
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Following is a list of projects in New York and Pennsylvania that were recently announced, which would increase the flow of gas into Canada, near Niagara Falls, and connect with TransCanada. The first, which set the stage, was completed in 2012.

1. Tennessee Gas Pipeline Company (TGP)  
Name: Northeast Supply Diversification Project<sup>46</sup>  
Amount: 250,000 Dth/day increase on 300 line.  
Date: Placed in service on November 1, 2012.  
Shippers: Cabot, Anadarko, and Seneca
2. Tennessee Gas Pipeline Company (TGP)  
Name: Niagara Expansion Project<sup>47</sup>  
Amount: 153,000 Dth/day.  
Date: Announced 12/19/13. Expected in-service date of 11/1/15.  
Shipper: Seneca
3. National Fuel Gas Supply Corporation (NFGS)  
Name: Northern Access 2015<sup>48</sup>  
Amount: 158,000 Dth/day  
Date: Announced 12/17/13. Expected in-service date of 11/1/15.  
Shipper: Seneca
4. National Fuel Gas Supply Corporation (NFGS)  
Name: Westside Expansion and Modernization (West Side)<sup>49</sup>  
Amount: 175,000 Dth/day  
Date: Announced 12/17/13. Expected in-service date of 11/1/15.  
Shippers: Range and Seneca

Following is a list of coordinated Open Seasons that would expand and integrate gas pipelines in Eastern Canada and New England.

5. TransCanada Pipeline Limited (TCPL)<sup>50</sup>  
Owns: 44.5% of Iroquois  
61.7% of Portland Natural Gas Transmission System (PNGTS)  
Name: Eastern Triangle Natural Gas Pipeline Expansion Projects<sup>51</sup>  
Location: Between North Bay, Toronto and Montreal.

<sup>46</sup> Northeast Supply Diversification, KINDER MORGAN, available at [http://www.kindermorgan.com/business/gas\\_pipelines/east/TGP/NSD/](http://www.kindermorgan.com/business/gas_pipelines/east/TGP/NSD/).

<sup>47</sup> Agreement reached to support Niagara Expansion Project, PIPELINES INTERNATIONAL (Dec. 19, 2013), available at

[http://pipelinesinternational.com/news/agreement\\_reached\\_to\\_support\\_niagara\\_expansion\\_project/084875/](http://pipelinesinternational.com/news/agreement_reached_to_support_niagara_expansion_project/084875/).

<sup>48</sup> National Fuel Executes Contracts on Major Pipeline Expansions And Long-Term Firm Transportation Capacity, NATIONAL FUEL (Dec. 17, 2013), available at

<http://investor.nationalfuelgas.com/mobile.view?c=90873&v=203&d=1&id=1885288>.

<sup>49</sup> Id.

<sup>50</sup> Natural Gas, TRANSCANADA, available at <http://www.transcanada.com/natural-gas-pipelines.html>.

<sup>51</sup> Eastern Triangle Natural Gas Pipeline Expansion Projects, TRANSCANADA (Nov. 29, 2013), available at <http://www.transcanada.com/news-releases-article.html?id=1786765>.

# INDIVIDUALS

## IND504 – Anne Marie Garti (cont'd)

- IND504-5  
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- Amount: Size would match interest and legal obligations  
Dates: Open Season from 11/29/13 to 1/15/14
6. Iroquois  
Owners: TransCanada owns 44.48% of Iroquois  
Dominion owns 24.72% of Iroquois  
National Grid owns 20.40% of Iroquois<sup>52</sup>  
Name: South-to-North Project<sup>53</sup>  
Location: Brookfield, CT to Waddington, NY  
Interconnects with Algonquin at Brookfield, CT  
Would interconnect with the "Constitution" at Wright, NY  
Interconnects with Dominion at Canajoharie, NY  
Interconnects with TransCanada at Waddington, NY  
Serving: Eastern Canadian and Northern New England Markets  
Amount: 300,000 Dth/day (available on this Open Season)  
Dates: Open Season from 12/3/13 to 1/24/14.  
Expected in-service date of November 2016.
7. Dominion Transmission  
Owns: 24.72% of Iroquois  
Name: Iroquois Access<sup>54</sup>  
Amount: 250,000 Dth/day  
Location: Leidy, PA to Canajoharie, NY  
Interconnects with Iroquois at Canajoharie, NY  
Date: Completed Open Season. Expected in-service date of November 2016.
8. Spectra Energy  
Owns: 77.6% of Maritimes and Northeast Pipeline<sup>55</sup>  
Name: Algonquin Incremental Market (AIM) Project<sup>56</sup>  
Amount: 342,000 Dth/day  
Location: Ramapo, NY to Boston, MA  
Interconnects with Iroquois at Brookfield, CT  
Interconnects with Maritimes and Northeast Pipeline near Beverly, MA  
Date: Pre-Filed 7/29/13 (PF13-16). Expected in-service date of November 2016.

<sup>52</sup> *Partners in Natural Gas Transportation*, IROQUOIS, available at <http://www.iroquois.com/natural-gas-transporters.asp>.

<sup>53</sup> *South-to-North Open Season Brochure*, IROQUOIS, 1 (Dec. 2013), available at <http://www.iroquois.com/documents/SoNoOSBrochureFinal.pdf>.

<sup>54</sup> Josh Eakle, *Dominion - Expanding to Meet the Needs of the Marcellus and Utica Shales*, INGAA FOUNDATION, 12 (April 11-13, 2012), *South-to-North Open Season Brochure*, IROQUOIS, 2 (Dec. 2013), available at <http://www.iroquois.com/documents/SoNoOSBrochureFinal.pdf>.

<sup>55</sup> Canadian Natural Gas Pipelines, SPECTRA ENERGY, available at <http://www.spectraenergy.com/Operations/Canadian-Natural-Gas-Pipelines/MaritimeNortheast-Pipeline/>. ("The Maritimes & Northeast Pipeline brings offshore, onshore and LNG-sourced natural gas from Atlantic Canada to North American markets.")

<sup>56</sup> *Algonquin Incremental Market (AIM) Project*, SPECTRA ENERGY (July 29, 2013), available at <http://www.spectraenergy.com/Operations/New-Projects-and-Our-Process/New-Projects-in-US/Algonquin-Incremental-Market-AIM-Project/>.

# INDIVIDUALS

## IND504 – Anne Marie Garti (cont'd)

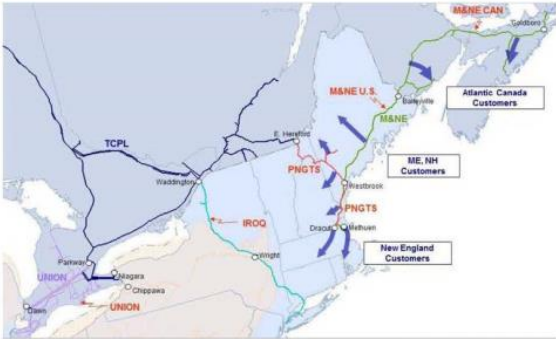
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9. Spectra Energy

Owns: Algonquin and 77.6% of Maritimes and Northeast Pipeline<sup>57</sup>  
Name: Atlantic Bridge<sup>58</sup>  
Amount: 100,000 to 600,000 Dth/day expansion, based on interest.  
Reversal of gas flow in the Maritimes and Northeast Pipeline  
Location: Boston, MA to Nova Scotia  
Interconnects with Maritimes and Northeast Pipeline near Beverly, MA  
Date: Open Season from 2/5/14 to 3/31/14.

10. Portland Natural Gas Transmission System (PNGTS)

Owners: TransCanada owns 61.7% of Portland Natural Gas Transmission System  
Name: Continent 2 Coast Expansion Project<sup>59</sup>  
Location: Pittsburg, NH to Westbrook, ME  
Interconnects with Trans-Quebec at E. Hereford  
Interconnects with Maritimes & Northeast at Westbrook, ME  
Interconnects with Tennessee Gas Pipeline in Dracut, MA  
Amount: 132,000 Dth/day increase  
Dates: Open Season from 12/3/13 to 1/24/14



<sup>57</sup> Canadian Natural Gas Pipelines, SPECTRA ENERGY, available at <http://www.spectraenergy.com/Operations/Canadian-Natural-Gas-Pipelines/MaritimeNortheast-Pipeline/>. ("The Maritimes & Northeast Pipeline brings offshore, onshore and LNG-sourced natural gas from Atlantic Canada to North American markets.")

<sup>58</sup> Spectra Energy to Expand Pipeline Systems in New England, SPECTRA ENERGY (Feb. 5, 2014), available at <http://www.spectraenergy.com/Newsroom/News-Archive/Spectra-Energy-to-Expand-Pipeline-Systems-in-New-England/>.

<sup>59</sup> Open Season Notice, Portland Natural Gas Transmission System, <http://www.gasnom.com/ExternalFiles/SitesIP/pngts/OpenSeasonDocumentAndBindingRequest.pdf>.

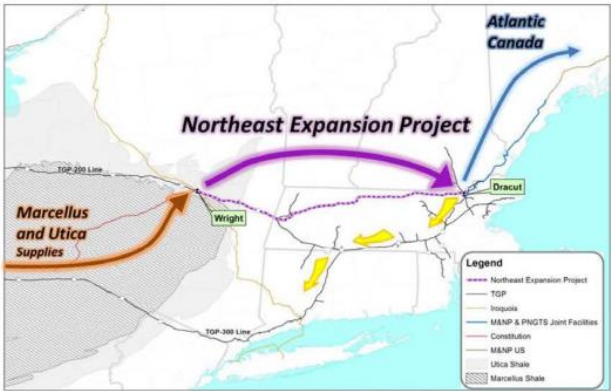
# INDIVIDUALS

## IND504 – Anne Marie Garti (cont'd)

IND504-5  
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### 11. Kinder Morgan – Tennessee Gas Pipeline (TGP)

Name: Northeast Expansion Project<sup>60</sup>  
Location: Wright, NY to Dracut, MA  
interconnects with PNGTS at Dracut, MA  
Serving: Northern New England, Atlantic Canada, with ability to export from there  
Amount: 600,000 to 2,200,000 Dth/day  
Dates: Open Season from 2/13/14 to 3/28/14.



The dozen pipeline projects (including the “Constitution”) summarized above show the extent of the interest in moving large volumes of gas out of Pennsylvania (and New York) to Canada and overseas. In combination, these projects paint the big picture of where shale gas extracted in the Northeast is going, and that image mocks the industry’s ads that tout energy independence for the United States. Here we see a consortium of companies, many of them interrelated and with partial Canadian ownership, engaged in coordinated planning in order to export a massive amount of fracked shale gas to Canada and around the world.

It must be noted that the Acting Chair of FERC, Cheryl A. LaFleur, “served as executive vice president and acting CEO of National Grid USA.”<sup>61</sup> National Grid owns 20.40% of Iroquois.<sup>62</sup>

<sup>60</sup> Northeast Expansion Project Open Season, KINDER MORGAN, available at [http://www.kindermorgan.com/business/gas\\_pipelines/east/neupopenseason/](http://www.kindermorgan.com/business/gas_pipelines/east/neupopenseason/).

<sup>61</sup> Biography, FERC, available at <https://www.ferc.gov/about/com-mem/LaFleur/bio.asp>.

<sup>62</sup> Partners in Natural Gas Transportation, IROQUOIS, available at <http://www.iroquois.com/natural-gas-transporters.asp>.

INDIVIDUALS

IND504 – Anne Marie Garti (cont'd)

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Figure 2-2 Maritimes and Northeast Pipeline United States<sup>63</sup>

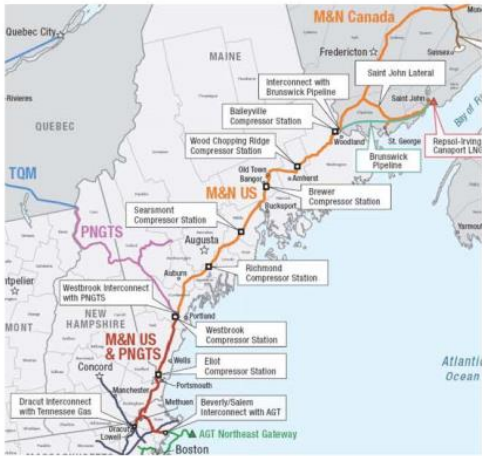
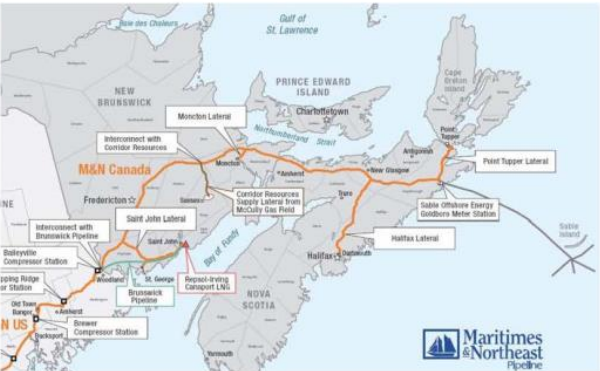


Figure 2-1 Maritimes and Northeast Pipeline Canada<sup>64</sup>



<sup>63</sup> ICF Consulting Canada, Inc., *The Future of Natural Gas Supply for Nova Scotia*, ICF, 12 (March 28, 2013).  
<sup>64</sup> *Id.* at 11.

S-1886

# INDIVIDUALS

## IND504 – Anne Marie Garti (cont'd)

### IND504-6 VII. The proposed project is driven by excess supply, not market demand

The shale gas industry suffers from a glut of gas that comes from overproduction. This has driven down the price of gas, which forces gas companies to drill even more in order to meet their expenses. As a result of this vicious cycle, some companies that are drilling in Pennsylvania are integrating the transport of gas into their businesses. “Producers with large portfolios in Marcellus have been primarily responsible for the financial commitments on the new pipeline and storage facilities to accommodate soaring production from Marcellus, including new pipeline projects into the LHV and NYC.”<sup>65</sup>

This is particularly true with the proposed “Constitution” pipeline because the entities that have partnered to form the Company, and the entity that has contracted to ship most of the gas through the proposed pipeline, have many interrelated shale gas business relationships. For example, Cabot Oil and Gas Corporation, which holds many gas drilling leases in north central Pennsylvania, will be shipping 500,000 of the 650,000 Dth/d in the proposed pipeline.<sup>66</sup> The gas driller’s wholly owned subsidiary, Cabot Pipeline Holdings, LLC, owns 25% of the Company.<sup>67</sup> Similarly, a number of companies owned by Williams are drilling, gathering, compressing, and distributing Pennsylvania gas, and are positioning themselves to play a similar role in New York.<sup>68</sup> Williams Field Services Company, LLC builds gathering lines and compressor stations, Williams Partners Operating, LLC currently owns 41% of the Company (down from 75% when the application was pre-filed), and Williams Pipeline Company, LLC will operate and maintain the pipeline once it is constructed.<sup>69</sup> In other words, these companies are proposing to drill for gas, to gather it, and to build an interstate pipeline through which they can transport the gas they have sold to themselves after they have extracted, gathered, and compressed it. Whether there is any public interest, or actual market need, in these arrangements is yet to be determined.

The Company more or less admits that it is seeking a market for its excess supply of gas in its application to FERC.

The Project will provide firm access to new sources of gas supply being developed in North Central Pennsylvania, which is experiencing a dramatic increase in natural gas production, primarily from the development of shale

<sup>65</sup> Levitan, 18-19. (LHV stands for Lower Hudson Valley.)

<sup>66</sup> Constitution Pipeline Company, LLC, Application for Certificate of Public Convenience and Necessity, Exhibit A, Articles of Incorporation and Bylaws, Exhibit C, pdf p. 66 (June 13, 2013), *available at* [http://elibrary.ferc.gov/idmws/file\\_list.asp?accession\\_num=20130613-5078](http://elibrary.ferc.gov/idmws/file_list.asp?accession_num=20130613-5078) [hereinafter Application].

<sup>67</sup> Application, Exhibit A, Articles of Incorporation and Bylaws, Exhibits A & D, pdf pp. 64, 67; Amendments to LLC Agreements, pdf pp. 68, 77; Application, Exhibit D, Subsidiaries and Affiliations, pdf p. 133.

<sup>68</sup> Application of Williams Field Services Company, LLC and DMP New York, Inc. for a Certificate of Environmental Compatibility and Public Need Pursuant to Construct an Approximately 9.5 Mile Natural Gas Gathering Pipeline in the Town of Windsor, Broome County, (Dec. 2, 2013), *available at* <http://documents.dps.ny.gov/public/MatterManagement/CaseMaster.aspx?MatterSeq=44189>; Williams Field Services, Petition for Approval to NYSPSC, 4 (Feb. 7, 2013), *available at* <http://documents.dps.ny.gov/public/Common/ViewDoc.aspx?DocRefId={543877AE-3417-4535-8864-B3EA878498D2}>.

<sup>69</sup> Application, Exhibit A, Articles of Incorporation and Bylaws, Exhibits A & D, (pdf p. 64, 67); Exhibit D, Subsidiaries and Affiliations (pdf p. 133); Amendments to LLC Agreements (pdf pp. 68, 77); Construction, Operation and Maintenance Agreement (pdf p. 91).

IND504-6

See the response to comment LA7-5 regarding project need. Constitution has precedent agreements, that is binding contracts, with its customers for the delivery of natural gas. Major natural gas pipelines, costing hundreds of millions of dollars or more, are not built based on uncertain or speculative customer bases.

# INDIVIDUALS

## IND504 – Anne Marie Garti (cont'd)

IND504-6  
cont'd

deposits. This increased production has the potential to provide economic benefits to the region by increasing competition among fuel sources, and to increase the reliability and diversification of the nations supply of natural gas.<sup>70</sup>

The Company is not alone in seeking a market for its shale gas. In a recent interview, Justin Carlson, an analyst of natural gas markets for Bentek EnergyBentek, was asked:

**Q:** So is there a demand for all this gas?

**A:** Right now, there's not. We've seen a substantial amount of basins that have had to pull back partially because gas prices are not high enough. . . .

**Q:** In your presentation you mentioned all the proposed LNG [liquefied natural gas] exports projects. Do those need to happen in order for the market to balance?

**A:** Right now, to balance the market, those need to happen. If you exclude those, we're going to have to reduce our production profile pretty substantially.<sup>71</sup>

Domestic gas companies have too much gas, with too low prices, to meet their overhead and investor demand for growth. In their search for new markets, they are forcing an unprecedented build out of gas pipelines, and reversing the flow of others, that will enable them to export gas to Canada, and overseas. Therefore statements in FERC's DEIS that the gas transported in the proposed "Constitution" Pipeline would be for the New York and New England markets are misrepresentations of the truth, and must be corrected.

IND504-7

### VIII. Recently Completed Projects Satisfy Market Demand in New York City

One of FERC's roles is to ensure there is no overbuilding of pipeline capacity. Such an analysis requires the inclusion of the most current pipeline information. Instead, FERC's DEIS refers to a two-year old assessment and a five-year old report, both of which are extremely out of date because of the extensive amount of recent pipeline construction.

FERC's DEIS states:

The New York State Energy Planning Board (2009) assessment of natural gas markets in New York and in the northeast concluded that most of the interstate transmission pipelines in the region are at or near capacity on peak days, and that by 2018 unmet peak day natural gas demand for New York and New England could range between an estimated 300,000 to 900,000 Dth/d.<sup>72</sup>

<sup>70</sup> Application at 8.

<sup>71</sup> Marie Cusick, *With A Glut Of Gas, Industry Looks To Increase Demand*, STATEIMPACT, NPR (Sept. 10, 2013), available at <http://stateimpact.npr.org/pennsylvania/2013/09/10/with-a-glut-of-gas-industry-looks-to-increase-demand/>.

<sup>72</sup> DEIS at 3-2.

IND504-7

Natural gas delivery infrastructure is not designed only to meet current demand, barely meet current demand, or fall just short of expected demand. Infrastructure is designed to have adequate capacity to be able to accommodate both baseline need and peak periods (such as extreme hot or extreme cold days) and to plan and account for increasing demand over time in advance. See the response to comment LA7-5 regarding project need. We recognize and acknowledge the multitude of pipeline projects that are and as proposed would serve markets in New York and New England. See the response to comment CO32-1 regarding regional development of pipelines.

# INDIVIDUALS

## IND504 – Anne Marie Garti (cont'd)

S-1889

IND504-7  
cont'd

This information, from a 2009 assessment, is no longer true, and more recent, and accurate, information is easily available. For example, in the fall of 2013 Levitan reported that “[s]everal noteworthy pipeline expansions have occurred in and around New York since November 2009, many of which are contracted by producers to transport Marcellus gas to the market center in New Jersey and NYC.”<sup>73</sup>

FERC’s DEIS states:

Other reports have also documented increased demand for natural gas in New York and New England and the lack of adequate pipeline capacity to deliver required volumes of natural gas (ISO-New England 2012, ICF International 2012).<sup>74</sup>

ICF updated the report FERC quotes in late 2013, finding New England has sufficient pipeline capacity to meet its firm contracts, but not enough for non-firm contracts of utility companies on hot summer, and cold winter days.<sup>75</sup> It is projected that there will be unmet demand for electric production on 24 to 34 days of the winter season in 2019/20.<sup>76</sup> The DEIS should consider whether new pipelines should be constructed through “greenfields” to meet a few weeks of shortage per year. Also, additional pipeline capacity is not the only way to meet that need, and the ICF analysis did not consider the possibilities of conservation, solar, and offshore wind to supply electricity for 24 to 34 days per year.

A review of recently completed projects in and near New York State show that market demand in New York City has been met. According to Levitan,

Spectra’s 800-MDth/d New Jersey – New York Expansion Project and Transco’s 250-MDth/d Northeast Supply Link Project, of which 200 MDth/d will flow to NYC, will increase deliverability into the New York Facilities System by approximately 30%. Both the New Jersey – New York Expansion Project and the Northeast Supply Link Project are designed to accommodate soaring gas production from Marcellus. These two projects represent 1,000 MDth/d, approximately 1 Bcf/d, of incremental deliverability into NYC.<sup>77</sup>

The following tables list recent pipeline projects that were not included in FERC’s analysis. If they had been discussed, the conclusions about the need for more gas in the target markets would have been different.

<sup>73</sup> Levitan and Associates, Inc., *NYCA Pipeline Congestion and Infrastructure Adequacy Assessment, New York Independent System Operator*, 22 (September 2013) [hereinafter Levitan]. (The Levitan assessment is attached.)

<sup>74</sup> DEIS at 3-2, 3-3.

<sup>75</sup> Kevin R. Petak and Frank Brock, *Assessment of New England’s Natural Gas Pipeline Capacity to Satisfy Short and Near-Term Power Generation Needs, Phase II*, 7, ICF INTERNATIONAL (December 18, 2013).

<sup>76</sup> *Id.* at 29.

<sup>77</sup> Levitan at 8. (Spectra’s New York Expansion Project and Transco’s Northeast Supply Link Project came online in November 2013.)



# INDIVIDUALS

## IND504 – Anne Marie Garti (cont'd)

IND504-7  
cont'd

### Recently completed pipelines and compressor stations (2010 - 2013) Increased availability of gas in Southern and Eastern New York State, and beyond

Name	Pipeline Co.	Docket	MDth/day	Interconnection, Destination
Laser Northeast	Williams	NYSPSC	400	Millennium, NY
Bluestone Gathering	Bluestone	NYSPSC	600	Millennium, NY
Minisink Compressor	Millennium	CP11-515	150	Tennessee, PA
300 Line Project	Tennessee	CP09-444	350	Algonquin, NY
Bayonne Delivery Lateral Project	Transco	CP09-417	250	PA, NY, CT, MA
TEAM 2012	Texas Eastern	CP11-67	200	50 MDth White Plains
MARC I	Inergy	CP10-480	550	Bayonne, NJ
NJ – NY Expansion Project	Spectra	CP11-56	800	north of Staten Island
Northeast Upgrade Project	Tennessee	CP11-161	636	Transco and Eastern Shore, PA
Northeast Supply Link Project	Transco	CP12-30	250	Transco, PA to NY

### Recently Completed Pipelines and Compressor Stations (2010 - 2013) Increased availability of gas in Western New York State, and Canada

Name	Pipeline Co.	Docket	MDth/day	Interconnection, Destination
Tioga County Extension Project	Empire	CP10-493	350	Empire
Northeast Supply Diversification Proj.	Tennessee	CP11-30	250	Niagara, TransCanada
Northern Access Project	NFG / Tennessee	CP11-128	250	Exports – Nov. 2012

### Pending projects that may increase capacity in or through New York State.

Name	Pipeline Co.	Docket	MDth/day	Interconnection, Destination
Hancock Compressor Project	Millennium	CP13-14	107.5	Algonquin, Ramapo, NY
Northeast Connector	Transco	CP13-132	100	Rockaway Lateral, NY
Rockaway Lateral Project	Transco	CP13-36	647	Ngrid, NY
Woodbridge Delivery Lateral	Transco	CP14-18	264	NJ
TEAM 2014	Texas Eastern	CP13-84	600	PA and NY

Garti --Report on Need for Project – CP13-499

22

S-1890

# INDIVIDUALS

## IND504 – Anne Marie Garti (cont'd)

IND504-7  
cont'd

East Side Expansion Project	Columbia	CP14-17	312	Millennium and Tennessee
Algonquin Incremental Market	Algonquin	PF13-16	433	NY to New England

FERC's DEIS fails to include current information on pipeline capacity and market need for gas in New York City. In addition, a major expansion of capacity from New York to New England, which is currently under review by FERC, is not mentioned in the DEIS.<sup>78</sup>



These recent projects fulfill the need for gas in the markets the Company's proposed pipeline is supposed to serve. Therefore the assessments and reports referred to by FERC are out-of-date. Since FERC is authorized to approve all of these pipeline projects, and maintains an extensive library of the material in its dockets, it raises questions about why the data in the DEIS is so dated. FERC should revise the DEIS to include up-to-date information on market need and pipeline capacity.

IND504-8

### IX. Potential local use is overstated, speculative, and unfair to landowners

In order to take private property through eminent domain under the Natural Gas Act, and to fill wetlands under the Clean Water Act, there must be sufficient public need for the project. In the DEIS, Section 1.1 Project Purpose and Need is approximately one and a half pages long. A full paragraph, amounting to a third of a page, describes the potential use of gas by a local distribution company – a start-up that has never delivered gas in New York State.

<sup>78</sup> Algonquin Gas Transmission, LLC, *Draft Resource Report 1 and Summary of Alternatives under PF13-16* (July 29, 2013), available at [http://elibrary.ferc.gov/dmws/file\\_list.asp?accession\\_num=20130729-5146](http://elibrary.ferc.gov/dmws/file_list.asp?accession_num=20130729-5146).  
<sup>79</sup> Chris Dubey, *New England Natural Gas Pipeline Projects Needed Sooner Than Later*, ENERGY BIZ (Dec. 12, 2013), available at <http://www.energybiz.com/article/13/12/new-england-natural-gas-pipeline-projects-needed-sooner-later>.

IND504-8

The information regarding Leatherstocking's estimated delivery amounts to local towns was not available at the time of publication of the draft EIS, so it was not possible to include that information in the document at that time. The EIS has been updated with new information regarding Leatherstocking's plans. See the responses to comments FA4-46 and SA2-4.

# INDIVIDUALS

## IND504 – Anne Marie Garti (cont'd)

IND504-8  
cont'd

As noted in the second bullet above, Constitution has identified that the proposed pipeline could provide natural gas service to nearby municipalities that do not currently have access to natural gas. According to Leatherstocking Gas Company, LLC (Leatherstocking), Leatherstocking has entered into a Memorandum of Understanding with Constitution, which would allow Leatherstocking to interconnect with Constitution's pipeline at several delivery points (Leatherstocking 2013). Leatherstocking would then be able to deliver gas from Constitution's pipeline to homes and businesses within communities in Pennsylvania and New York. In New York, the Town of Bainbridge, the Village of Windsor, the Town of Windsor, the Village of Bainbridge, the Town of Unadilla, the Village of Unadilla, the Town of Sidney, the Village of Sidney, and the Village of Delhi have granted Leatherstocking approvals for the opportunity to serve their communities (Leatherstocking 2013). Leatherstocking would evaluate the need for gas in these communities and construct the necessary infrastructure as part of the New York State Department of Environmental Conservation's (NYSDEC) permitting process for natural gas gathering and local distribution lines and could be subject to other processes including review by the COE for impacts on waters of the United States.<sup>80</sup>

Much has been made of this potential use, even though no firm contract exists between the Company and Leatherstocking. Instead, the Company has engaged in a public relations campaign to sell its high-pressure interstate pipeline project based on claims that gas might be utilized by people and businesses along the route. FERC does not mention the amount of gas that would be delivered, but this information was recently provided by Leatherstocking.

To provide some perspective, Leatherstocking Gas has estimated that throughput for the Village and Town of Sidney would be less than 1,000 Mcf/day even when the distribution system is fully built out. This amount is approximately 0.3% of the total Constitution throughput. . . . Even if the other distribution facilities that could follow the Sidney system are constructed, the total throughput for all Leatherstocking Gas distribution, including Sidney, would be in the range of 2,000 Mcf/day or approximately 0.6% of Constitution's total throughput. . . .<sup>81</sup>

In the DEIS, FERC never states that a mere 0.6% of the entire proposed project might be used to satisfy local need. Nor does FERC state that this is only a possibility, which would occur at some point in the future. Nor does FERC perform an analysis of whether there is, in fact, a local need for gas, and at what price. Such a study should include population densities of nearby villages and towns, potential volumes of gas that could be consumed, costs of delivery, and potential rates based on a range of future gas prices. The potential benefits of local use should then be balanced against the potential impacts of the required build out of

<sup>80</sup> DEIS at 1-1. (NYSDEC does not have permitting authority over gathering and distribution lines in NYS.)

<sup>81</sup> Nixon Peabody LLP on behalf of Leatherstocking Gas Company LLC, *Answer in Opposition to the Motion for Extension of Time*, 5, Fn 8 (March 31, 2014), available at [http://elibrary.FERC.gov/idmws/file\\_list.asp?accession\\_num=20140331-5183](http://elibrary.FERC.gov/idmws/file_list.asp?accession_num=20140331-5183).

# INDIVIDUALS

## IND504 – Anne Marie Garti (cont'd)

IND504-8  
cont'd

distribution pipelines to serve future customers, along with the potential impacts of induced development. Finally, an analysis of alternatives should be performed to determine whether there are other methods of delivering this energy, and what their impacts would be. While none of these factors are evaluated – or even mentioned in the DEIS – a simple internet search can uncover such a discussion.

On April 11, 2012, Leatherstocking testified at a hearing in Wysox, Pennsylvania about the potential of using locally produced gas in rural areas.<sup>82</sup> Michael German, CEO and president of Corning Natural Gas Corporation and Leatherstocking gave a presentation in which he stated that Leatherstocking would be serving customers by tapping local gas drilling wells and gathering lines.<sup>83</sup> It took over a year and a half for Leatherstocking to connect its first customer.<sup>84</sup> Sonny Popowsky, Consumer Advocate of Pennsylvania, discussed the difficulties and high costs of bringing natural gas infrastructure to sparsely populated areas.<sup>85</sup> While supportive of the effort, he stated the project was controversial, a competing company had applied to serve the same community, and the Pennsylvania Public Utility Commission would “decide which, if either, of these applications is to be granted.”<sup>86</sup> Tony Ventello, Executive Director for the Central Bradford Progress Authority, discussed the need for public subsidies in order for these ventures like these to succeed.<sup>87</sup> He stated there simply aren’t enough customers to pay for the capital costs of building out the infrastructure.

The situation is more complicated in New York than in Pennsylvania because, for now, there are no gas wells or gathering lines to tap. Instead, Mr. German stated during presentations he made in Delaware County, NY, that Leatherstocking has a Memorandum of Understanding with the Company to be able to tap the proposed “Constitution” pipeline. He admitted that the agreement is not binding. However, five villages and five towns in New York State have signed franchise agreements with Leatherstocking. Since these agreements carry no obligation to proceed by either side, these ten municipalities are merely providing social support for this start-up.

There was also a recent flurry of press releases and photo opportunities regarding a \$750,000 grant from New York State to connect Amphenol, which is a manufacturing facility located in Sidney, NY, to the proposed pipeline, via a Leatherstocking distribution line.<sup>88</sup> What was

<sup>82</sup> Senator Yaw, *Agenda* (April 11, 2012), available at <http://www.senatorgeneyaw.com/files/2013/06/Hearing-Natural-Gas-Extension-Services.pdf>.

<sup>83</sup> *Blueprint for Success*, 6, LEATHERSTOCKING GAS COMPANY (April 11, 2012), available at <http://www.northerntier.org/upload/11-14-12-3LGC%20WYSOX.pdf>.

<sup>84</sup> *Leatherstocking Gas Company Celebrates 1st Residential Natural Gas Customer*, BINGHAMTON HOMEPAGE (Nov. 14, 2013), available at [http://www.binghamtonhomepage.com/story/leatherstocking-gas-company-celebrates-1st-residential-natural-gas-customer/d/story/ysTykQx\\_PEGLF-D1Xmfepg](http://www.binghamtonhomepage.com/story/leatherstocking-gas-company-celebrates-1st-residential-natural-gas-customer/d/story/ysTykQx_PEGLF-D1Xmfepg).

<sup>85</sup> Sonny Popowsky, *Testimony Regarding the Extension of Natural Gas Service in Rural Pennsylvania*, 4 OFFICE OF CONSUMER ADVOCATE (April 11, 2012), available at [http://www.oca.state.pa.us/Testimony/2012/Testimony%20re%20Extension%20of%20Natural%20Gas%20Service%2000154591\\_.pdf](http://www.oca.state.pa.us/Testimony/2012/Testimony%20re%20Extension%20of%20Natural%20Gas%20Service%2000154591_.pdf).

<sup>86</sup> *Id.* at 5.

<sup>87</sup> Johnny Williams, *Public hearing addresses issues in local distribution of natural gas*, THE DAILY REVIEW (April 12, 2012), available at <http://thedailyreview.com/news/public-hearing-addresses-issues-in-local-distribution-of-natural-gas-1.1298722>.

<sup>88</sup> Joe Mahoney, *Pipeline would send gas to Amphenol, towns*, THE DAILY STAR (March 19, 2014), available at <http://www.thedailystar.com/localnews/x1387873940/Pipeline-would-send-gas-to-Amphenol-towns>.

# INDIVIDUALS

## IND504 – Anne Marie Garti (cont'd)

S-1894

IND504-8  
cont'd

not included in the Company's press release, or the related news articles, was that this money was applied for by the Delaware County Industrial Development Agency to aid in the rebuilding of Amphenol after the devastating floods of 2011.<sup>89</sup>

The Delaware County Industrial Development Agency, a public benefit corporation empowered to provide financial assistance to private entities through tax incentives, will use a grant of up to \$750,000 for a portion of the cost to construct a natural gas distribution line from the Constitution Pipeline to Amphenol Corporation's existing facility at 40-60 Delaware Avenue, **as well as the new manufacturing facility to be constructed at 171 Delaware Avenue.**<sup>90</sup>

In other words, it appears the original grant application, which was written to assist in the rebuilding of the Amphenol facility, has simply been amended to include a connection to the proposed "Constitution" pipeline. According to the Governor's press release, the money can be spent entirely on the construction of the new building.

Amphenol has received over thirty-six million dollars in local, state, and federal grants and tax credits to rebuild in Sidney, rather than relocate out of state.<sup>91</sup> Amphenol also received out-of-territory hydroelectric power service from the Delaware County Electric Coop.<sup>92</sup> Now Amphenol, Leatherstocking, and the Company want local landowners to give up a portion of their land for their benefit. Many of the landowners are middle and working class citizens, who have invested their life savings in their property. Is it fair for the government to force these people to give up their assets so that a few private companies can increase their profits?

The question of the need for the project has profound implications – for over seven hundred directly affected landowners, and thousands of others. The analysis provided in the DEIS is insufficient to determine need under both the Natural Gas Act and the Clean Water Act.

IND504-9

### X. Conclusion

The proposed "Constitution" Pipeline would not serve the New York City and New England markets as the two interconnecting pipelines, Iroquois and Tennessee, do not have room to accept the gas. Instead, as Iroquois' recently announced South to North project makes clear, the gas would be transported to Canada, and could be exported overseas from there. If Tennessee's Northeast Expansion is required to bring the gas to New England, then the impacts from that project must be integrated into this environmental review.

<sup>89</sup> Erika Eklund, *Efforts Continue To Rebuild Amphenol Plant In Sidney*, THE MOUNTAIN EAGLE (Aug. 30, 2012), available at [http://www.registerstar.com/the\\_mountain\\_eagle/news/article\\_ac21b3c5-9cab-5bfd-bf56-4f1136236d46.html?mode=jqm](http://www.registerstar.com/the_mountain_eagle/news/article_ac21b3c5-9cab-5bfd-bf56-4f1136236d46.html?mode=jqm).

<sup>90</sup> Governor Cuomo Announces \$5.9 Million to Fund Projects That Will Spur Economic Opportunity in Four Regions (Feb. 20, 2014), available at <http://www.governor.ny.gov/press/02202014-fund-economic-opportunity>. (Emphasis added.)

<sup>91</sup> Commissioner Adams, State and Local Officials, Break Ground on Amphenol's New Facility in Delaware County, EMPIRE STATE DEVELOPMENT (May 13, 2013), available at [http://esd.ny.gov/NewsRoom/Data/2013/05132013\\_AmphenolPR.pdf](http://esd.ny.gov/NewsRoom/Data/2013/05132013_AmphenolPR.pdf). (Emphasis added.)

<sup>92</sup> Derrill Holly, *N.Y. Co-op Helps Preserve Jobs*, ECT (April 24, 2012), available at <http://www.ect.coop/industry/business-finance/n-y-co-op-helps-preserve-jobs/43002>.

IND504-9

See the responses to comments LA7-5 and CO26-18. The Northeast Direct Project, formerly known as the Northeast Expansion project, would according to published reports extend from Pennsylvania to Wright, New York, and then on to Dracut, Massachusetts. Given this apparent configuration, the Northeast Direct Project likely would not be suitable to transport all or even most of Constitution's capacity. We have included discussion of the Northeast Direct Project in an updated section 4.13. If the Northeast Direct Project is pursued, then it would be subject to its own environmental review.

# INDIVIDUALS

## IND505 – Heidi Nakashima

S-1895

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Heidi Nakashima, Bloomville, NY. 4/7/14	
Kimberly D. Bose, Secretary The FERC 888 First Street NE, Room 1A Washington, D.C. 20426	
Dear Kimberly D. Bose,	
IND505-1	I am writing to state my strong objections to the proposed constitution pipeline (Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR). Those who live and depend on the community will absorb the risks and be left with, at best, damaged
IND505-2	land. If it is true that this will pave the way for fracking, we will face an increase in health problems, reduced property value, higher crime, threatened wildlife, residual chemicals in the food chain, and parceled polluted land. This proposed project would not only damage the land but the livelihood of friends and neighbors who rely on the unspoiled land for tourism and organic farming. The environmental impact study was surprisingly lacking. I would like additional research in the following areas:
IND505-3	<ul style="list-style-type: none"><li>How will the construction impact the water bodies and forests?</li><li>How will the construction impact endangered species?</li><li>How will this disrupt wetland soils with sediment runoff?</li></ul>
IND505-4	How will the removal/use of water for hydrostatic testing effect the wildlife in streams and native plants?
IND505-5	<ul style="list-style-type: none"><li>How are sensitive species and habitats identified?</li></ul>
IND505-6	<ul style="list-style-type: none"><li>How can we ensure the pipe system can withstand unprecedented flooding, drought, storms, earthquakes due to climate change?</li></ul>
IND505-7	<ul style="list-style-type: none"><li>What is to prevent frost that melting at uneven rates from twisting and breaking the pipeline?</li></ul>
IND505-8	<ul style="list-style-type: none"><li>What is the plan for maintaining the pipeline infrastructure? What measures would be taken to prevent gasket leaks &amp; ruptures? How is this different from the Millennium Pipeline?</li></ul>
IND505-9	<ul style="list-style-type: none"><li>What tests have been done to determine the effect of gunshot hitting the pipes? These areas are heavily used for hunting.</li></ul>
IND505-10	<ul style="list-style-type: none"><li>What emergency measures will be taken if there is a gas fire and or explosion?</li></ul>
IND505-11	<ul style="list-style-type: none"><li>Will the pipes be removed when the pipeline is no longer in use? Can you give an example of a pipeline project where the land has been restored to it's original pristine state?</li></ul>
IND505-12	<ul style="list-style-type: none"><li>Are there plans to use the pipeline to transport natural gas from New York state and therefore an incentive to allow fracking near the pipeline?</li></ul>

IND505-1	The commentor's statements in opposition to the proposed projects are noted.
IND505-2	See the response to comments LA1-4 and FA4-45 regarding hydraulic fracturing. See the response to comment LA5-3 regarding property values. See the response to comment CO1-2. Potential impacts and mitigation on tourism are discussed in the EIS in section 4.9.2. See the response to comment IND11-1 regarding organic farms.
IND505-3	Sensitive resources, as well as potential impacts and mitigation, are discussed in the EIS for forest and interior forest (section 4.5.3), waterbodies (section 4.3.3), endangered species (section 4.7), steep slopes (sections 2.3.2, and 4.1.3; appendix G), shallow bedrock (sections 2.3.1 and 4.1.3; appendix I), wetlands (section 4.4 and appendix L), air quality (section 4.11.1), and farmland/agriculture (sections 2.3.2, 4.2, 4.8.4, and appendix J). See the response to comments CO1-4 and IND169-1 regarding stormwater runoff.
IND505-4	See the response to comment FA4-24 regarding hydrostatic testing.
IND505-5	Sensitive species and habitats are identified through field survey and consultation with state and federal agencies.
IND505-6	See the response to comment SA6-1 regarding climate change. See the response to comments CO1-5 and IND113-1 regarding flooding. Earthquakes are discussed in section 4.1.3.1 of the EIS.
IND505-7	See the response to comment IND11-8 regarding frost.
IND505-8	See the response to comment IND496-7 regarding pipeline inspections. See also the response to comment CO47-1.
IND505-9	Given the depth at which the pipeline would be buried (see table 2.3.1-1 in the EIS), a bullet used for hunting would not reach the pipeline.

**INDIVIDUALS**

**IND505 – Heidi Nakashima (cont’d)**

S-1896

- IND505-10      As stated in section 4.12 of the EIS, Constitution representatives have already met with emergency services departments in four of the counties that would be affected by the proposed projects, and they would continue to meet with the departments in all of the counties along the pipeline route annually. Constitution would provide these departments with emergency numbers and emergency response plans. Affected public landowners, emergency responders, public officials, and excavators would receive annual updates about the pipeline.
- IND505-11      See the response to comment IND53-1 regarding abandonment of the pipeline. Some pipelines are abandoned in place and sometimes they are removed.
- IND505-12      See the response to comments LA1-4 and FA4-45 regarding hydraulic fracturing.

INDIVIDUALS

IND505 – Heidi Nakashima (cont’d)

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IND505-13 | The Pipeline will provide no long-term benefits to the residents. The only way to protect the beautiful land and community of New York is to stop the pipeline.

Sincerely,

Heidi Nakashima  
2171 Swantack Road, Bloomville NY 13739

Cc: US Army Corps of Engineers New York District, CENAN-OP-R Upstate Regulatory  
Field Office 11 Buffington Street, Bldg. 10, 3rd Floor Watervliet, New York  
12189-4000

IND505-13      The commentor’s request to deny the proposed projects is noted.  
See the response to comment CO50-55 regarding benefits.



INDIVIDUALS  
IND506 – Robert Strother

S-1898

20140407-5246 FERC PDF (Unofficial) 4/7/2014 12:40:12 PM	
Robert Strother Registered Intervenor 1918 West Fulton Rd. Warnerville, N.Y. 12187 April 6, 2014	
Kimberly D. Bose, Secretary The Federal Energy Regulatory Commission 888 First Street NE, Room 1A Washington, D.C. 20426	
US Army Corps of Engineers New York District, CENAN-OP-R Upstate Regulatory Field Office 1 Buffington Street, Bldg. 10, 3rd Floor Watervliet, New York 12189-4000	
Re: Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR	
IND506-1	<p>I'm writing in regards the The Federal Energy Regulatory Commission (FERC) Draft Environmental Impact statement (DEIS), as well as the U.S. Army Corps of Engineers (USACE) 404 Permit Application for the proposed "Constitution" pipeline referenced by the docket and permit numbers noted above.</p> <p>As a resident of Schoharie County, through which the pipeline would travel approximately 38 miles, I request the 45 day public comment period for both documents be extended to a minimum of 90 days.</p> <p>Comments from the public can realistically be made only if the public is given adequate time to review all the materials contained in both documents during the comment period. The public deserves this right. In this case because of the sheer volume of materials and the brief length of time allowed this is not realistic. The public's right to meaningful participation in this process would be denied unless the comment period is extended.</p> <p>FERC has stated that a significant amount of required information is not in the DEIS at this time. How can the public be expected to comment on a document that is incomplete? The public should have the right to review the entirety of the material within a reasonable amount of time.</p>

IND506-1      See response to comment FA1-1.

INDIVIDUALS

IND506 – Robert Strother (cont’d)

20140407-5246 FERC PDF (Unofficial) 4/7/2014 12:40:12 PM

IND506-1  
cont'd

Many residents in our rural area do not own computers. For these people reviewing the material is especially difficult. Arrangements must be made to repeatedly travel to the homes of their children, relatives or to a distant public library in order to get online and access the FERC web site. The short time period does not take these people and their situation into account. Their voices must be allowed to be heard.

Additionally, because the town boards of local government in Schoharie County meet once a month the short comment period makes it extremely difficult if not impossible for these elected officials to read both documents, hold a board meeting, discuss, draft comments, meet again, revise comments and then take a final vote by the deadline. The current length of the comment period shuts out our elected officials and prevents them from performing duties which the citizens who elected them to public office mandated.

For the above reasons alone, FERC and the USACE must understand that it is simply not realistic to expect the public to adequately respond these important documents in this short period of time.

Sincerely,

Robert Strother

S-1899

**INDIVIDUALS**  
**IND507 – Clark J. Rhoades**

S-1900

20140407-5248 FERC PDF (Unofficial) 4/7/2014 12:50:11 PM

Clark J. Rhoades, Intervener  
464 County Highway 40  
Worcester, NY 12197

April 3, 2014

Ms. Kimberly D. Bose  
Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A  
Washington, D.C. 20426

Us Army Corps of Engineers  
New York District CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3rd Floor  
Waterville, New York 12189-4000

Re: Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR

IND  
507-  
1

When I use brackets [ ] in a quoted, I use it to let the reader know that I have used **bold** or underline to emphasize something and when I add my comment it is always *italicized*.  
  
Senator Jay Rockefeller, D-WV, ["**Natural gas transmission is relatively safe but that is like saying that flying is safe until your plane goes down,**"]  
From: <http://www.forbes.com/sites/kensilverstein/2013/01/29/pipeline-explosion-rattles-natural-gas-industry/>  
  
Comment to the FERC regarding the failure of the DEIS to substantively address the public health and property risks.  
  
I believe that the project should be stopped as the risks are minimized and the benefits are exaggerated such as remote control shut-off valves . It should only go forward when a thorough Environmental Impact Statement is issued after the CP has provided complete answers to all the interveners and public's questions and not this sales document.

IND507-1

The commentor’s statements in opposition of the proposed projects are noted. Remotely controlled MLVs would be continuously monitored at Constitution’s gas control center and in the event of an incident, an electronic command for valve closure can be sent. As stated in section 2.2.2 of the EIS, Constitution would use remotely controlled MLVs along the pipeline route. Table 2.1.2-1 in the EIS provides the location for each of the 11 MLVs.

As stated in section 4.12 of the EIS, Congressional law states that automatic or remote control shut-off valves are required. See the response to comment IND13-3 regarding safety and risk. The commentor’s request to deny the proposed projects is noted.

# INDIVIDUALS

## IND507 – Clark J. Rhoades (cont'd)

S-1901

20140407-5248 FERC PDF (Unofficial) 4/7/2014 12:50:11 PM	
IND 507- 1 contd	<p>From the Constitution Pipeline (CP) and Wright Interconnect Project DEIS.pdf (CPWI)</p> <p><b>5.1.12 Reliability and Safety 393/945</b></p> <p>CPWI pg. 5-14, "Further, although regulations requiring remote control shutoff valves [<i>RCV or RCVs</i>] have not yet gone into effect and would apply to pipelines built in the future, Constitution committed to the use of remote control shut-off valves for the proposed pipeline."</p> <p><b>Now I have really fuzzy and good FEELING, or is it good and fuzzy?</b></p> <p><b>Constitution has our interest and FERC has our back!</b></p> <p><b>Here is another example of CP being a good neighbor, or are they?</b></p> <p>There are no numbers of valves stated, nor has the distance between the valves been stated, the amount of time to close the valves after they have been activated has not been stated, or where they will be placed, and how the signals will be communicated to these valves.</p> <p><b>The DEIS cannot go forward until these have been publicized and the public has the opportunity of commenting on these issues.</b></p> <p><b>But what do remote controlled shut-off valves have to do with reliability or safety or is it purpose to manipulate public opinion? Let's take a look.</b></p> <p><b>But do they increase Safety of Casualty and Victims?</b></p> <p>The DOT's assessment, released in 1999, reported that installation of RCVs would provide <b>only "...a small benefit from reduced casualties because virtually all casualties from a rupture occur before an RCV could be activated."</b><sup>110</sup> [bold mine]</p> <p>"The natural gas pipeline industry historically has objected to federal mandates to install remotely controlled or automated valves. ...." <b>"They also argue that such valves do not always function properly, would not prevent natural gas pipeline explosions (which cause most fatalities), and are susceptible to false alarms, needlessly shutting down pipelines and disrupting critical fuel supplies"</b> <sup>112</sup> [ Bold mine]</p> <p><b>OK, IT WILL NOT REDUCE CASUALTIES!</b></p> <p><b>But will reliability be increased? NO!</b></p>

# INDIVIDUALS

## IND507 – Clark J. Rhoades (cont'd)

S-1902

20140407-5248 FERC PDF (Unofficial) 4/7/2014 12:50:11 PM	
IND 507-1	"The natural gas pipeline industry historically has objected to federal mandates to install remotely controlled or automated valves. ..." 112
contd	"... Automatic valves, in particular, may be susceptible to unnecessary closure, <b>potentially disrupting critical flows of natural gas to distribution utilities and—as a result—increasing safety risks associated with residential furnace relighting, among other concerns.</b> "113 [bold mine]
	<p>Will remote control shut-off valves protect at least property?</p> <p><b>ONLY IF FIRE FIGHTERS ARRIVE UNDER 10 MINUTES AND HAVE ACCESS TO A FIRE HYDRANT!</b></p> <p><b>Oak Ridge Laboratory Valve Study</b></p> <p>".... Among other findings, the study concluded that such valves can be effective for mitigating potential consequences resulting from a natural gas pipeline release (and subsequent fire). <u>However, because natural gas pipeline fires can cause damage so quickly, such mitigation requires that the leak is detected and the proper valves closed completely so the damaged pipeline segment can be isolated and firefighting activities can begin within 10 minutes of the initial fire.... Fire hydrants must also be accessible in the vicinity of the leak within the potentially severe fire damage radius.</u>" 123 [bold and underlining are mine]</p> <p>When was the last time a fire truck was able to get to a rural place within 10 minutes and had access to a fire hydrant?</p> <p><b>So what is the real reason for 5.1.12 Reliability and Safety?</b></p> <p><b>IT'S A P.R. EXERCISE AND HAS NOTHING TO DO WITH SAFETY!</b></p> <p><b>"Public Perceptions</b></p> <p>Some stakeholders have argued that <b>public perceptions of improved pipeline safety and control are the highest perceived benefit of remotely controlled or automatic valves.</b>" 129 [bold mine]</p> <p>"...the main <b>impediment</b> to siting energy infrastructure is the great difficulty getting <b>public acceptance</b> for needed facilities." 130 [bold mine]</p> <p>Consequently, <b>the public perception value of remotely controlled or automatic pipeline valves may need to be accounted for</b>, especially with respect to its implications for general pipeline development and operations.133</p>

# INDIVIDUALS

## IND507 – Clark J. Rhoades (cont'd)

S-1903

20140407-5248 FERC PDF (Unofficial) 4/7/2014 12:50:11 PM	
IND 507- 1 contd	<p>It must be remembered that at a pipeline rupture at any point except at a remotely controlled valve, must operates perfectly and instantaneously. Still all the gas that is under pressure will continue to be ejected from two ends of the severed pipeline.</p> <p>The largest gas fire will be a rupture is exactly midway between two perfectly operating RCVs. The longest lasting fire will be at one end of two perfectly operating RCVs.</p> <p>Very seldom do complex systems work perfectly when they are seldom tested, as industry well knows.</p> <p>To view the following and all a more complete analysis of gas lines please accesses this document.</p> <p>The following are from: <a href="http://elibrary.FERC.gov/idmws/file_list.asp?accession_num=2030222-4002">http://elibrary.FERC.gov/idmws/file_list.asp?accession_num=2030222-4002</a></p> <p><b>VI. In the US pipeline safety is left to private firms that are not under the control of the US Government.</b></p> <p><b>Exhibit Q.</b></p> <p>The U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration, Document CPF 3-2010-5002W, to Enbridge Energy Partners LP "...you have committed a probable violation of the Pipeline Safety Regulation , Title 49, Code of Federal Regulation"</p> <p><b>The El Paso pipeline 1003 was inspected one day before it blew up.</b></p> <p><b>Neither FERC nor can the citizens of NYS rely on inspections to prevent accidents. Accidents can only be prevented in the initial design stages of a project!</b></p> <p>The Challenger Shuttle accident was due to political pressure for a launch.</p> <p>The BP disaster in the Gulf was due to pressure from BP to save drilling expenses.</p> <p>Enbridge Energy ruptured, spilling more than 843,000 gallons of tar sands oil into Talmadge Creek and the Kalamazoo River because Enbridge employees did not take governmental prescribed actions to ascertain and prevent corrosion of the oil pipeline.</p> <p>This is the exact same behavior that the owners of the El Paso pipeline had done a decade earlier.</p> <p>It reminds me of a phrase from a song <b>"when will they ever learn"</b>.</p> <p><b>Human error is the weak spot in any high-risk enterprise.</b></p> <p><b>Exhibit U.</b> Scientific American, May 2012, Pg. 26.</p>

# INDIVIDUALS

## IND507 – Clark J. Rhoades (cont'd)

S-1904

IND 507- 1 contd	<div>20140407-5248 FERC PDF (Unofficial) 4/7/2014 12:50:11 PM</div> <p>"In a recent report from Russia's space agency sheds light on a string of recent failures. ... But it is the <b>nature of the apparent causes of the accidents - often amazingly inept human errors that seem most alarming.</b>" [Emphasis mine.]</p> <p>From (Exhibit P. pg 3)</p> <p>"Even with a robust regulatory program in place, ..., <b>failures due to human error or natural disaster are inevitable.</b>" [Emphasis mine.]</p> <p><b>VII. CONCLUSION</b></p> <p>We cannot allow dangerous projects to be built in dangerous areas and hope that humans have the will, ability, and integrity to prevent them. There is a history of human behavior causing accidents to happen regardless of whether the dangers were unknown, ignored or because prescribed procedures were not followed. Because of the overwhelming evidence presented, FERC, in the planning stage of this project, must recognize existing hazards that cannot be mitigated, and the history of accidents, and must deny both the proposed primary route and the alternative route "M" for the Constitution Pipeline.</p> <p>The following footnotes were from:</p> <p><b>Congressional Research Service</b> 7-5700 www.crs.gov R41536</p> <p><sup>110</sup> U.S. Department of Transportation, <i>Remotely Controlled Valves on Interstate Natural Gas Pipelines</i>, September 1999, p. 22.</p> <p><sup>112</sup> Rich Connell, John Hoeffel and Marc Lifsher, "Lawmakers Move to Impose New Requirements for Pipeline Shutoff Valves," <i>Los Angeles Times</i>, September 14, 2010.</p> <p><sup>113</sup> Christina Sames, Vice President, American Gas Association, Remarks at the Different Pathways to a Common Goal: PIPA, Damage Prevention, &amp; Greater Public Awareness and Involvement Conference, Pipeline Safety Trust, New Orleans, LA, November 4, 2010</p> <p><sup>123</sup> Oak Ridge National Laboratory, <i>Studies for the Requirements of Automatic and Remotely Controlled Shutoff Valves on Hazardous Liquids and Natural Gas Pipelines with Respect to Public and Environmental Safety</i>, ORNL/TM-2012/411, October 31, 2012, p. xxviii.</p> <p><sup>129</sup> U.S. Department of Transportation, September 1999, pp. 19-20.</p> <p><sup>130</sup> William M. Nugent, First Vice President, National Association of Regulatory Utility Commissioners, testimony before the Senate Energy and Natural Resources Committee hearing on Federal, State, and Local Impediments to Siting Energy Infrastructure, May 15, 2001.</p> <p><sup>133</sup> Federal Energy Regulatory Commission (FERC), "Commission Approves Revised \$1 Billion Millennium Pipeline Project to Bring New Gas Service to the Northeast," press release, December 21, 2006. See, for example: Randal C. Archibold, "Fighting Plans for a Gas Pipeline: Not Under My Backyard," <i>New York Times</i>, August 7, 2001.</p>
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**INDIVIDUALS**  
**IND508 – Robert Strother**

S-1905

20140407-5253 FERC PDF (Unofficial) 4/7/2014 1:01:44 PM	
Robert Strother Registered Intervenor 1918 West Fulton Rd. Warnerville, N.Y. 12187 April 6, 2014	
Kimberly D. Bose, Secretary The Federal Energy Regulatory Commission 888 First Street NE, Room 1A Washington, D.C. 20426	
US Army Corps of Engineers New York District, CENAN-OP-R Upstate Regulatory Field Office 1 Buffington Street, Bldg. 10, 3rd Floor Watervliet, New York 12189-4000	
Re: Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR	
IND508-1	<p>I am writing to request that the Constitution Pipeline relocate the section of pipe as it is currently planned to be installed 75 feet from my dwelling and well. This is my neighbor's property. I will receive no compensation for this horrific condition thrust upon me by an apparently inhuman cohort of greedhead monsters.</p> <p>I have spent the last twenty five years building a home by hand in the Catskills. Now a 30" 1480 lb pressure INDUSTRIAL pipeline is going to be 75FT from where I lay my head to sleep at night. Really?</p> <p>I have come to the conclusion during the past few months that nobody up the line cares about their fellow citizens, their fellow countrymen, their neighbors. I certainly don't expect you to care that my life's work will be devalued as a result of the agency that employs you. The DEIS states that dwellings can be as close as 50 feet to this pipeline. Approval of this setback from dwellings without compensation by an agency of the United States Government is criminal.</p> <p>My house is a home . I have lived here with my family for 25 years. I will not be able to live next to a natural gas pipeline that could potentially explode. This 30" high pressure Industrial gas pipeline means my home is not habitable. It is now in the kill zone of industry.No one would build a new home 75 feet from a 30" high pressure INDUSTRIAL gas pipe.</p> <p>Constitution should not be able to put a 30" high pressure INDUSTRIAL gas pipeline next to an EXISTING home. At approximately mile marker 109 there is a section of proposed pipeline that goes against all recommendations for siting of a 30inch 1480 lb pressure INDUSTRIAL pipeline. The center of pipe survey line heads southwest from Tower Rd. then crosses a wetland which is the catch basin and headwaters of House Creek a tributary of Schoharie Creek. House Creek is a NYSDEC protected trout stream Classified TB. The line then crosses the House Creek itself and passes a dwelling. That dwelling is my home. 75 feet from a</p>

IND508-1

The commentor's request to move the proposed route is noted. The proposed pipeline would be approximately 150 feet from the commentor's house. There are literally thousands, if not tens of thousands, of residences in the United States within 10 10 100 feet of a high-pressure natural gas transmission pipeline. See the response to comments IND13-3 and CO47-1 regarding safety. The commentor's request to deny the proposed projects is noted.



# INDIVIDUALS

## IND508 – Robert Strother (cont’d)

20140407-5253 FERC PDF (Unofficial) 4/7/2014 1:01:44 PM

IND508-1  
cont'd

proposed 30 inch 1480 lb pressure INDUSTRIAL pipeline is my house. Here a some recent accidents involving 30inch natural gas pipelines:

At 6:11:12 pm PDT on September 9, 2010, a huge explosion occurred in the Crestmoor residential neighborhood of San Bruno, near Skyline Boulevard and San Bruno Avenue.[8] This caused a fire, which quickly engulfed nearby houses. Emergency responders of San Bruno and nearby cities soon arrived at the scene and evacuated surrounding neighborhoods. Strong winds fanned the flames, hampering extinguishment efforts.[11] The blaze was fed by a ruptured gas pipe, and large clouds of smoke soared into the sky. It took 60 to 90 minutes to shut off the gas after the explosion, according to San Bruno Fire Chief Dennis Haag.[12] The explosion and the resulting fire leveled 35 houses and damaged many more. Three of the damaged houses, deemed uninhabitable, were torn down in December, bringing the total to 38. About 200 firefighters battled the eight alarm fire that resulted from the explosions.[13][14] The explosion excavated an asymmetric crater 167 feet (51 m) long, 26 feet (7.9 m) wide[15] and 40 feet (12 m) deep along the sidewalk of Glenview Drive in front of 1701 Earl Avenue (a corner house), but many of the destroyed homes were eastward in the 1600 block of Claremont Drive.[12]

The fire continued to burn for several hours after the initial explosion. The explosion compromised a water main and required firefighters to truck in water from outside sources. Firefighters were assisted by residents who dragged fire hoses nearly 4,000 feet (1,200 m) to working hydrants.[16] Ordinary citizens drove injured people and burn victims to the hospital. Mutual aid responded from all over the Bay Area, including the California Department of Forestry and Fire Protection who sent 25 fire engines, 4 airtankers, 2 air attack planes, and 1 helicopter.[17] The fire was only fifty percent contained by 10 pm PDT and continued to burn until about 11:40 am PDT the next day.[18][19] As of September 29, 2010, the death toll was eight people.[7] Among the eight deaths was 20 year old Jessica Morales, who was with her boyfriend, Joseph Ruigomez, at the epicenter of the fire (his home) on the corner of Earl Ave. Despite his proximity to the epicenter of the fire, Mr. Ruigomez survived but spent nearly five months recovering in the St. Francis Hospital Burn Center. Two other people at the Claremont address close to the explosion were among those killed: Jacqueline Greig, 44, and her daughter Janessa Greig, 13. Greig worked for the California Public Utilities Commission, in a small unit that advocates for consumer rights pertaining to natural gas regulations. She had spent part of the summer evaluating PG&E's expansion plans and investment proposals to replace out-of-date pipelines.[20][21] Also killed in the blast were Lavonne Bullis, 82, Greg Bullis, 50, and Will Bullis, 17. Brigham McCown, the former head for the federal Pipeline and Hazardous Materials Safety Administration, called for the creation of a national commission to examine the problems surrounding high-pressure fuel pipelines that have been built in residential areas. In his article with The Wall Street Journal, McCown says it often takes an "incident like this one to force change." He also suggested installing a "no man's land" around some pipelines in hopes of preventing another disaster. The Bay Citizen and C-SPAN also included interviews with McCown about pipeline excavation and company liability.

S-1906

# INDIVIDUALS

## IND508 – Robert Strother (cont’d)

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IND508-1  
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Since 2001, natural gas pipeline explosions and other accidents have resulted in the loss of at least 45 lives and many more serious injuries, usually from burns. The list below may not be comprehensive, and there may be additional accidents, deaths and injuries that are not known to us.

March 22, 2001 - A 12-inch natural gas pipeline exploded in Weatherford, Texas on . No one was injured, but the blast created a hole in the ground about 15 feet in diameter and the explosion was felt several miles away.

June 13, 2001 - In Pensacola, Florida, at least ten persons were injured when two natural gas lines ruptured and exploded after a parking lot gave way beneath a cement truck at a car dealership. The blast sent chunks of concrete flying across a four-lane road, and several employees and customers at neighboring businesses were evacuated. About 25 cars at the dealership and 10 boats at a neighboring business were damaged or destroyed.

August 11, 2001 - At approximately 5:05 a.m. MST a 24 inch gas pipeline failed near Williams, Arizona, resulting in the release of natural gas. The natural gas continued to discharge for about an hour before igniting.

August 19, 2000 - A 30 inch diameter natural gas pipeline rupture and fire near Carlsbad, New Mexico killed 12 members of an extended family camping over 600 feet from the rupture point. The force of the rupture and the violent ignition of the escaping gas created a 51-foot-wide crater about 113 feet along the pipe. A 49-foot section of the pipe was ejected from the crater in three pieces measuring approximately 3 feet, 20 feet, and 26 feet in length. The largest piece of pipe was found about 287 feet northwest of the crater. The cause of the failure was determined to be severe internal corrosion of that pipeline.

September 7, 2000 - A Bulldozer ruptured a 12 inch diameter NGL pipeline on Route 36, south of Abilene, Texas. A police detective, with 21 years of service, was killed. Nearby, a woman saved herself by going underwater in her swimming pool. Her house was destroyed by the explosion & fire.

August 5, 2002 - A natural gas pipeline exploded and caught fire west of Rt. 622, on Poca River Road near Lanham, West Virginia. Emergency workers evacuated three or four families. Kanawha and Putnam Counties in the area were requested Shelter-In-Place. Parts of the Pipeline were thrown hundreds of yards away, around, and across Poca River. The Fire was not contained for several hours because valves to shutdown the pipeline did not exist. The orange glow from the fire at 11 PM could be seen for several miles.

February 2, 2003 - A natural gas pipeline ruptured near Viola, Illinois resulting in the release of natural gas which ignited. A 16-foot long section of the pipe fractured into three sections, which were ejected to distances of about 300 yards from the failure site.

S-1907

# INDIVIDUALS

## IND508 – Robert Strother (cont'd)

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IND508-1  
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March 23, 2003 - A 24-inch diameter gas pipeline near Eaton, Colorado exploded. The explosion sent flames 160 meters in the air and sent thousands of Weld County residents into a panic, but no one was injured. The heat from the flames melted the siding of two nearby homes and started many smaller grass fires.

July 2, 2003 - Excavation damage to a natural gas distribution line resulted in an explosion and fire in Wilmington, Delaware. A contractor hired by the city of Wilmington to replace sidewalk and curbing, dug into an unmarked natural gas service line with a backhoe. Although the service line did not leak where it was struck, the contact resulted in a break in the line inside the basement of a nearby building, where gas began to accumulate. A manager for the contractor said that he did not smell gas and therefore did not believe there was imminent danger and that he called an employee of the gas company and left a voice mail message. At approximately 1:44 p.m., an explosion destroyed two residences and damaged two others to the extent that they had to be demolished. Other nearby residences sustained some damage, and the residents on the block were displaced from their homes for about a week. Three contractor employees sustained serious injuries. Eleven additional people sustained minor injuries.

November 2, 2003 - A Texas Eastern Transmission natural gas pipeline exploded in Bath County, Kentucky, about 1.5 km south of a Duke Energy pumping station. A fire burned for about an hour before firefighters extinguished it. No one was injured and no property damage was reported.

August 21, 2004 - A natural gas explosion destroyed a residence located at in DuBois, Pennsylvania. Two residents were killed in this accident. The NTSB determined that the probable cause of the leak, explosion, and fire was the fracture of a defective butt-fusion joint.

November 8, 2004 - A NGL pipeline failed in a housing division in Ivel, Kentucky. The vapor cloud from the leak ignited, seriously burning a Kentucky State Trooper evacuating those living in the area. 8 others were injured and 5 homes were destroyed. The pipeline had 11 previous corrosion failures, and is only 65 miles long.

May 13, 2005 - An underground natural gas pipeline exploded near Marshall, Texas, sending a giant fireball into the sky and hurling a 160-foot section of pipe onto the grounds of a nearby electric power generating plant. 2 people were hurt. The OPS concluded that stress corrosion cracking was the culprit.

September 19, 2005 - A pipeline pumping station employee was killed in Monroe, Ohio, when leaking propane was ignited and exploded by an arcing pump. Flames reached 300 feet high in the following fire.

July 22, 2006 - A gas pipeline ruptured, resulting in an estimated release of 42,946 MSCF of natural gas near Clay City in Clark County, Kentucky. The gas ignited, but there were no injuries, and just minor property damage. External corrosion was suspected.

S-1908

# INDIVIDUALS

## IND508 – Robert Strother (cont’d)

S-1909

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October 12, 2006 - A pipeline explosion occurred when a tugboat pushing two barges hit the pipeline Thursday in West Cote Blanche Bay, about two miles from shore and 100 miles southwest of New Orleans, Louisiana. 4 crew members were killed, and 2 were missing and later presumed dead.

November 11, 2006 - A jet-black, 300-acre burn site surrounded the skeletal hulk of a bulldozer that struck a natural-gas pipeline and produced a powerful explosion 2 miles north of the Wyoming-Colorado line. The bulldozer operator was killed.

November 1, 2007 - A 12-inch propane pipeline exploded, killing two and injuring five others near Carmichael, Mississippi. The NTSB determined the probable cause was likely an ERW seam failure. Inadequate education of residents near the pipeline about the existence of a nearby pipeline and how to respond to a pipeline accident were also cited as a factors in the deaths.

February 5, 2008 - A natural gas pipeline explodes and catches fire near Hartsville, Tennessee, believed to have been caused by a tornado hitting the facility.

August 28, 2008 - A 36-inch gas pipeline fails near Stairtown, Texas causing a fire with flames 400 feet tall. The failure was caused by external corrosion.

August 29, 2008 - A 24-inch gas transmission pipeline ruptured in Cooper County, Missouri. Corrosion had caused the pipeline to lose 75% of its wall thickness in the failure area.

September 9, 2008 - Workers constructing a new pipeline hit an existing natural gas pipeline in Wheeler County, Texas.

September 14, 2008 - A 30-inch gas pipeline ruptured & gas ignited near Appomattox, Virginia. 2 homes were destroyed by the fire. External corrosion seems to be the cause of the failure.

February 1, 2009 - A gas pipeline explosion rocked the area 2 miles east of Carthage, Texas.

May 4, 2009 - A gas pipeline bursts near Hobe City, Florida on injuring 2 people on the Florida Turnpike from flying debris. The escaping gas did not ignite.

November 5, 2009 - Two people were hurt when a natural gas pipeline exploded in Bushland in the Texas Panhandle. The explosion left a hole about 30 yards by 20 yards and close to 15 feet deep. The blast shook homes, melted window blinds and shot flames hundreds of feet into the air. The home nearest the blast - about 100 yards away - was destroyed. Bushland is about 15 miles west of Amarillo.

# INDIVIDUALS

## IND508 – Robert Strother (cont'd)

20140407-5253 FERC PDF (Unofficial) 4/7/2014 1:01:44 PM

IND508-1  
cont'd

November 14, 2009 - A newly built 42-inch gas transmission pipeline near Philo, Ohio failed on the second day of operation. There was no fire, but evacuations resulted. Several indications of pipe deformation were found.

January, 2010 - A gas pipeline exploded near Barksdale Air Force Base, Louisiana killing a pipeline employee.

February 1, 2010 - A plumber trying to unclog a sewer line in St. Paul, Minnesota ruptured a gas service line that has been "cross bored" through the house's sewer line. The plumber & resident escaped the home moments before as an explosion and following fire destroyed the home. The Minnesota Office of Pipeline Safety ordered that gas utility, Xcel, to check for more cross bored gas lines. In the following year, 25,000 sewer lines inspected showed 57 other cross bored gas lines. In Louisville, Kentucky, 430 gas line cross bores were found in 200 miles of a sewer project, including some near schools and a hospital. The NTSB had cited such cross bore incidents as a known hazard since 1976.

March 15, 2010 - A 24-inch gas pipeline bursts, but did not ignite near Pampa, Texas.

June 7, 2010 - A 36-inch gas pipeline explosion and fire in Johnson County, Texas, was from workers installing poles for electrical lines. One worker was killed, and six were injured. Confusion over the location and status of the construction work lead to the pipeline not being marked beforehand.

June 8, 2010 - Construction workers hit an unmarked 14-inch gas gathering pipeline near Darrouzett, Texas. Two workers were killed.

August 25, 2010 - A construction crew installing a gas pipeline in Roberts County, Texas hits an unmarked pipeline on seriously burning one man.

August 27, 2010 - A LPG pipeline sprang a leak in Gilboa, New York, forcing the evacuation of 23 people.

September 9, 2010 - A high pressure gas pipeline exploded in San Bruno, CA, a suburb of San Francisco. The blast destroyed 38 homes and damaged 120 homes. Eight people died and 58 were injured. Ten acres of brush also burned. Later, PG&E was unable to supply the California Public Utilities Commission with documents on how PG&E established pressure limits on some of its gas transmission pipelines.

September 28, 2010 - A repair crew was working on a corroded gas pipe in Cairo, Georgia when the line exploded. One crew member was killed, and 3 others burned.

S-1910

# INDIVIDUALS

## IND508 – Robert Strother (cont'd)

20140407-5253 FERC PDF (Unofficial) 4/7/2014 1:01:44 PM

IND508-1  
cont'd

October 15, 2010 - A gas pipeline under construction in Grand Prairie, Texas was running a cleaning pig without a pig "trap" at the end of the pipe. The 150 pound pig was expelled from the pipeline with enough force to fly 500 feet, and crash through the side of a house. No one was injured.

November 12, 2010 - Three men working on natural gas lines were injured when a pipeline ruptured in Monroe, Louisiana.

November 30, 2010 - A 30-inch diameter gas pipeline failed at Natchitoches, Louisiana. There was no fire, but the pipeline had a Magnetic Flux smart pig test earlier in the year that indicated no flaws in the pipeline. The deadly 1965 gas pipeline accident occurred on a different pipeline owned by the same company nearby.

December 17, 2010 - A gas line fire and explosion just outside of Corpus Christi, Texas city limits left one person critically injured. A man was working on removing an abandoned pipeline when it exploded, and the man's face was severely burned.

December 28, 2010 - A pipeline at an underground gas storage facility in Covington County, Mississippi exploded forcing the evacuation of about 2 dozen families for over a week.

January 18, 2011 - A gas main being repaired in Philadelphia, Pennsylvania explodes, killing a repair crew member and injuring 6 others.

January 24, 2011 - Gas pressure regulators failed and caused a gas pressure surge in Fairport Harbor, Ohio causing gas fires in numerous homes, and one apartment. 7 homes were destroyed, and damaged 45 furnaces, 10 boilers, 19 water heaters, and 10 other gas appliances. Gas company Dominion East Ohio says it found fluids and debris in a failed regulator and is investigating how that happened.

February 10, 2011 - 5 people are killed and 8 homes are destroyed in an apparent gas explosion and fire in Allentown, Pennsylvania. The NTSB had warned UGI about cast iron gas mains needing replacement after the 1990 gas explosion in that city. Between 1976 and the date of the letter, July 10, 1992, two more gas explosions occurred. Three people were killed, 23 injured and 11 homes were destroyed or damaged in those explosions.

February 10, 2011 - A 36-inch diameter gas transmission pipeline exploded near Lisbon, Ohio. No injuries resulted.

March 17, 2011 - A 20-inch steel natural gas line running through a Minneapolis, Minnesota neighborhood ruptured and gas from it ignited, caused evacuations to buildings nearby, and Interstate 35W was closed from downtown Minneapolis to Highway 62. There were no injuries.

S-1911

INDIVIDUALS

IND508 – Robert Strother (cont'd)

20140407-5253 FERC PDF (Unofficial) 4/7/2014 1:01:44 PM

IND508-1  
cont'd

These pipelines have destroyed many innocent lives. Please don't approve this  
30' High pressure industrial natural gas pipeline

Thank You,

Robert Strother

INDIVIDUALS  
IND509 – William Huston

S-1913

20140407-5258 FERC PDF (Unofficial) 4/7/2014 1:11:30 PM

William Huston  
PO Box 2873  
Binghamton NY 13902  
  
April 3, 2014

Kimberly D. Bose, Secretary  
  
The FERC  
  
888 First Street NE, Room 1A  
  
Washington, D.C. 20426

US Army Corps of Engineers  
  
New York District, CENAN-OP-R  
  
Upstate Regulatory Field Office  
  
1 Buffington Street, Bldg. 10, 3rd Floor  
  
Watervliet, New York 12189-4000

Re: Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR

IND509-1

Subject: Barriers to Public Participation / Request for additional hearings and extension of comment time.  
  
This comment is to inform the FERC about barriers to to public participation which occurred the first three nights of hearings on the dEIS.  
  
Please see the attached video which was recorded in AFTON, NY at the CONSTITUTION PIPELINE DEIS HEARING on April 2<sup>nd</sup>, 2014. I took video footage of the proceedings inside and outside the venue.  
  
In the attached excerpt, you can see this exchange. (NOTE: this may not be an exact transcription of statements, but approximate)  
  
For me, the intimidation started in the parking lot.  
As I was walking in shlepping all my gear,  
**Bryant Latourette** (Oxford Land Group, co-founder JLCNY)  
said hi to me, then said, **"Hey Bill, aren't you afraid of getting beaten up?"**  
  
Wow. I was stunned.  
  
What a strange thing to say, I thought, so I put my things down, turned on my camera and got a quick interview w/him, about why I should be afraid. So the intimidation began (for me) 1 hour before the meeting.

IND509-1      See the response to comment CO50-108 regarding the comment meetings.

Individual Comments



INDIVIDUALS

IND509 – William Huston (cont'd)

S-1914

20140407-5258 FERC PDF (Unofficial) 4/7/2014 1:11:30 PM	
IND509-1 cont'd	<p>Lots of orange union guys, like the last 2 hearings. At least 2 cops were present through most of the meeting.</p> <p>Before the start, Lisa Barr and Vic Furman were sitting at opposite ends of the first row. Lisa started antagonizing Vic, shouting that he pulls of his pants with minor children are around.</p> <p>Which is true, but I suggested to her that if she tries to be nice, things might go more smoothly. Things have been tense enough without abuse coming from our side before it all began.</p> <p>Lisa then let loose on my with a string of obscenities I won't repeat. Whatever. I began to get the feeling it was going to be a challenging evening.</p> <p>Lisa Barr was the first speaker, and spoke eloquently with a prepared speech, which called the union guys thugs and thieves. That got them all riled up.</p> <p>Peter Hudiburg was next. He went over 4 min. When FERC's Kevin Bowman who was running the meeting tried cutting Peter off, suddenly one of the cops came down the aisle after Peter.</p> <p>Someone mentioned to me (didn't get his name) that FERC didn't call the police, nor ask them to assist, so it was a little weird that the police sua sponte thought it was their job to play Time-keeper (with tasers).</p> <p>So that set the precedent... If you go over, cops will come.</p> <p>These are the events leading up the the big free-for-all:</p> <p>Much later (maybe 9:30?), Kim Michels from Afton went over her allotted 4 min, and for the second time, cops came down the aisle. There was lots of shouting from the union boys in orange.</p> <p>FERC's Kevin Bowman put the meeting into recess for 10min after that.</p> <p>During recess, suddenly there was a big commotion. Pete and Linda Bevalaquaa were shouting about being bullied. I grabbed my camera and ran up to see what was going on.</p> <p>I found out later, the big dude (6' 3") was the same guy who was hassling Pete and Craig Stevens the night before in Oneonta. Also, adding to the fun was FERC's Charlie Brown, came back from retirement to work this meeting. During the melee, he said to *LINDA B.* words to the effect, "What don't you sit down and be quiet. You always make trouble</p>

# INDIVIDUALS

## IND509 – William Huston (cont'd)

S-1915

20140407-5258 FERC PDF (Unofficial) 4/7/2014 1:11:30 PM

IND509-1  
cont'd

at these hearings".

This was the most senior FERC official there!

**And he's not mad at the bussed-in union bullies!**

**He's mad at a housewife and farmer who labored for many years,**  
alone, raising the kids while Pete was working in the city,  
both hoping to enjoy some peace and quiet in their retirement  
years after the kids are grown, **only to have this monstrosity pipeline**  
**coming near their property -- inside the BLAST ZONE.**

(Linda told this story later, and cried. It was very moving).

So Mr. 6'3" was gone by the time I got there with my camera,  
but another big dude #2 (probably 250+ lbs) started shouting at me.

There was a mob of Teamsters all around. One told me  
"Go sit down, Spielberg!", another said "Go back to Philly where you came from!"  
Another one called me a "fag".

Big Dude #2 was telling me to "get that camera out of my face". I was ~10ft away,  
not exactly in his face. I told him it's a public meeting and I have a right to  
record. He kept telling me to turn my camera off. I said, sorry, no.

Finally he said, **"You'd better hope I don't follow you out of here tonight!"**

I said, "Hey, is that a threat?" I looked around for a cop, but apparently  
they were outside dealing with two sisters fighting in the parking  
about something unrelated to the pipeline. Weird night.

So I asked someone with a cell phone to call 911, that I wanted to file a police  
report. I have the whole thing recorded.

I was surrounded by Orange Shirts, all shouting. It was very intimidating,  
but I stood my ground. Craig Stevens was standing nearby.  
"Hey, I think that sounds like a threat!" he also said.

When I turned around, I saw Matt Swift, project manager for CP standing  
there. I shouted: "Hey Matt! Did you bring these Teamsters here to bully us?"

Matt replied they came of their own accord. (One of the union bosses told  
me the same thing. But there is certain evidence which suggests otherwise).

"Do you support this bullying, Matt?"

I was quite upset by that point and shouting.

"No. I support the pipeline". He replied.

# INDIVIDUALS

## IND509 – William Huston (cont'd)

S-1916

20140407-5258 FERC PDF (Unofficial) 4/7/2014 1:11:30 PM

IND509-1  
cont'd

"Do you support these Teamster bullies harassing  
legitimate intervenors and landowners?"  
"No. I support the pipeline".

The meeting began again. I turned my cameras on, and soon it was my turn to  
speak. Just then, the cops showed up. After I spoke, I went to find them and  
insisted they make a police report.

The cop I spoke to was very nice, and said that what he said did not count  
as a threat. Too vague.

He and another officer went to interview Big Dude #2.  
I asked Epifanio (Pete) Bevalaqua to tell the police how it all started.  
I returned to my camera.

Later the officer told me Big Dude #2's name is Steven (or Stephen) Stoddard  
of Port Crane. Amazingly, Stoddard stuck around and was called to speak.

Heriberto (Eddie) Rodriguez was there videotaping also. At the mic,  
Stoddard reiterated what he had told me before: "I'm telling you  
two who are recording me, I DO NOT give you permission to  
make any video of me tonight public!!!"

I responded: That video will be on youtube TONIGHT!  
The crowd laughed at that one. (In reality, it may take me until  
tomorrow!)

All of the union guys made a hasty exit after that. Ray Lewis said,  
"The bus to Newburgh must be leaving!" That cracked up everyone  
who heard it.

So after that, things settled down.  
What Carole Marner said was true. It was just "us" after that.  
A bunch of friends. I had a huge crowd of people  
who offered to help carry my equipment, and escort  
me to the car safely. I felt very protected. Thanks to all.

Even the cops escorted me out. I told them I felt  
like I was the President. I'd never received a  
police escort before.

I had later dinner with Craig and Vera after that.  
We all agreed that this all shows that CP must be feeling  
rather desperate, to pull these kinds of shenanigans.

# INDIVIDUALS

## IND509 – William Huston (cont'd)

20140407-5258 FERC PDF (Unofficial) 4/7/2014 1:11:30 PM

IND509-1  
cont'd

They must think this project is in jeopardy, that they are pulling out all the stops in order to bully us. But tonight was so far over the top, it feels like that we "won", because they were so extreme.

This can't be good for their image as "good neighbors".

After reviewing the video, I'm 99% sure the tall guy that butted in is **Paul McCormick, Local 158 of the International Union of Operating Engineers (Rochester)**  
<http://www.iuocal106.org/contactus.html>

The bald guy who ran interference is **Stephen Stoddard, Teamsters Local 693 (Binghamton)**.  
<http://teamstersonline.com/forums/new-york-teamsters-locals/30283-teamsters-local-693-a.html>

The video of all four hearings will be online here:  
[https://www.youtube.com/playlist?list=PLo1TDxDriRYqdNccDJ\\_p0aPsWpMf9Yr9o](https://www.youtube.com/playlist?list=PLo1TDxDriRYqdNccDJ_p0aPsWpMf9Yr9o)

S-1917

# INDIVIDUALS

## IND510 – Jill A. Wiener

S-1918

20140407-5257 FERC PDF (Unofficial) 4/7/2014 1:30:18 PM	
jill a wiener, Callicoon Center, NY. Kimberly D. Bose, Secretary□ The FERC□888 First Street NE, Room 1A□ Washington, D.C. 20426□□	
US Army Corps of Engineers□New York District, CENAN-OP-R□Upstate Regulatory Field Office□ 1 Buffington Street, Bldg. 10, 3rd Floor□ Watervliet, New York 12189-4000	
IND510-1	Projects that aren't essential for domestic needs should be denied permits. The Constitution Pipeline is not essential; moreover it is essential that be not approved.
IND510-2	It is time for the United States to transition from a fossil fuel based energy platform to one that relies on renewable, sustainable and safe energy. Approval of infrastructure projects to transmit dangerous and dirty fuels is not only unacceptable because it infringes in what should be inalienable property rights and desecrates the immediate environment but because it hampers the development of responsible, sustainable fuel sources.
IND510-3	The Constitution Pipeline project does present significant cumulative impacts to the environment including impacting over 1,000 acres, 91 acres of wetlands and 277 water bodies. These impacts alone should be basis for rejection of this project.
IND510-4	The Constitution Pipeline application is incomplete insomuch as it does not adequately consider and identify future compressor stations or other infrastructure projects associated with metering and moving gas through a pipeline along the route. This fact alone should be basis for rejection of this project.
IND510-5	FERC must consider the upstream impacts, including climate implications of additional methane releases, of approval of this project to comply with NEPA. The DEIS fails to consider impacts of increase shale gas field development (increased fracking) and additional transmission infrastructure build-out and possible export potential for the gas that is slated to be transported through this line.
IND510-6	Aging pipelines that bisect the United States put us all in harms way, approving this new and unnecessary project further burdens citizens along the pipeline route with decreased property values, probable loss of income and exposes them to potential and constant risk.
IND510-7	FERC must consider "public convenience and necessity" before permitting projects like the Constitution Pipeline. Please do not fall down on the job now. It's time to critically examine all the impacts associated with oil and gas infrastructure projects, to compel the project sponsors to lay all of their cards on the table at once, we deserve to see tall oil and gas infrastructure projects in full, not in segmented pieces. This is the moment to shown the American people that the agency does consider our health, safety and climate above the profit motivation the oil and gas industry.
Jill Wiener PO Box 198	

IND510-1	The commentor's request to deny the proposed projects is noted. See the response to comment LA7-5 regarding project need.
IND510-2	Section 3.1.2.3 of the EIS provides a discussion of renewable energy.
IND510-3	See the response to comment CO1-1.
IND510-4	See the response to comment FA4-2 regarding expansion.
IND510-5	See the response to comment SA6-1 regarding climate change. See the response to comments LA1-4 and FA4-45 regarding hydraulic fracturing.
IND510-6	See the response to comment LA5-3 regarding property values. See the response to comment IND13-3 regarding safety.
IND510-7	See the response to comment LA7-5 regarding need.

**INDIVIDUALS**

**IND510 – Jill A. Wiener (cont'd)**

20140407-5257 FERC PDF (Unofficial) 4/7/2014 1:30:18 PM	
IND510-7 cont'd	Callicoon Center, NY 12724

INDIVIDUALS  
IND511 – Robert Strother

S-1920

20140407-5259 FERC PDF (Unofficial) 4/7/2014 1:12:40 PM	
Robert Strother Registered Intervenor 1918 West Fulton Rd. Warnerville, N.Y. 12187 April 6, 2014	
Kimberly D. Bose, Secretary The Federal Energy Regulatory Commission 888 First Street NE, Room 1A Washington, D.C. 20426	
US Army Corps of Engineers New York District, CENAN-OP-R Upstate Regulatory Field Office 1 Buffington Street, Bldg. 10, 3rd Floor Watervliet, New York 12189-4000	
Re: Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR	
IND511-1	I request that the permit application for the Constitution pipeline be denied on the grounds that it is a threat to the local environment , the health and safety of impacted humans, and the future of the Chesapeake watershed and the ecosystems that nourish it. The DEIS is incomplete as there are many
IND511-2	instances where proper consideration is not given to the welfare of environment and inhabitants; human or other. You will find examples of this in many filings from commenters.
IND511-3	At approximately mile marker 109 there is a section of proposed pipeline that goes against all recommendations for siting of a 30inch 1480 lb pressure INDUSTRIAL pipeline. The center of pipe survey line heads southwest from Tower Rd. then crosses a wetland which is the catch basin and headwaters of House Creek a tributary of Schoharie Creek. House Creek is a NYSDEC protected trout stream Classified TB. The line then crosses the House Creek itself and passes a dwelling. That dwelling is my home. 75 feet from a proposed 30 inch 1480 lb pressure INDUSTRIAL pipeline is my house. The line continues across West Fulton Rd. up a steep grade to the top of the hill. This section of proposed pipeline ignores five of the Army Corps of engineers recommendations: existing right of way is not utilised, crossing wetland and stream, close proximity to dwelling, steep grade, and thin topsoil over shale. All of these conditions occur within one half mile of distance.

- IND511-1 See the response to comment IND13-3 regarding safety.
- IND511-2 See the response to comment CO1-2.
- IND511-3 See the response to comment IND508-1.

INDIVIDUALS

IND511 – Robert Strother (cont’d)

20140407-5259 FERC PDF (Unofficial) 4/7/2014 1:12:40 PM

IND511-3  
cont'd

There is no justifiable reason, other than the profit motives of  
Constitution, that the health and welfare of all cannot be protected.

Thank you,

Robert Strother



INDIVIDUALS  
IND512 – Laura Pierson

20140407-5263 FERC PDF (Unofficial) 4/7/2014 1:41:08 PM

Laura Pierson, Delancy NY, NY.  
Dear FERC,

IND512-1 PLEASE! NO FRACK AND NO PIPELINE in the Catskills, in Delaware County NY. These will devastate our homes, our health, our retirement planning and the already marginal fiscal health of our towns. If the appeal of upstate for retirement and second homes is damaged by fracking, I won't be able to sell my house and pay for nursing care. It is terrifying!

IND512-2

IND512-3 The risk/reward analysis is entirely skewed and immoral. Residents take the risk, investors get the reward.  
Thank you very much for protecting our lives and livelihood by saying NO.  
  
Laura Pierson  
1557 Back River Road  
Delancey NY 13752

- IND512-1The commentor’s request to deny the proposed projects is noted. See the response to comments LA1-4 and FA4-45 regarding hydraulic fracturing.
- IND512-2See the response to comment LA5-3 regarding property values, mortgages, and insurance.
- IND512-3See the response to comment CO50-55 regarding benefits of the proposed projects.

INDIVIDUALS  
IND513 – Teresa Winchester

S-1923

20140407-5264 FERC PDF (Unofficial) 4/7/2014 1:23:51 PM	
April 7, 2014	
Kimberly Bose, Secretary	
Federal Energy Regulatory Commission	
888 First Street NE, Room 1	
Washington, DC 20426	
Jodi M. McDonald, Chief	
Regulatory Branch, US Army Corps of Engineers	
New York District CENAN-OP-R	
Upstate Regulatory Field Office	
Buffington Street, Bldg. 10, 3 <sup>rd</sup> Floor	
WaterVliet, NY 12189	
RE: Constitution Pipeline: FERC Docket Nos. CP13-499-000 and CP- 13-502-000; USACE Docket No. NAN-2012-00449-UBR	
Dear Secretary Bose, Ms. McDonald, and the entire FERC Review Board:	
IND513-1	You have in your hands a momentous responsibility – whether to allow the installation of the Constitution Pipeline to proceed or whether to accede to the will of the majority of people commenting on the proposed pipeline's Draft Environmental Impact Statement (DEIS) and decline the application. I will not herewith cite the numerous concerns raised in both the public comment period and in response to the DEIS which expertly document both highly rational objections to the pipeline itself and the many serious shortcomings of the DEIS. <i>I simply but strongly urge you to act not as bureaucrats unquestioningly carrying out the directives of your superiors, as mere tools of a blind and single-minded governmental machine, but as men and women of conscience</i> , who know in your hearts and minds that this pipeline (a) is not necessary; (b) is designed to facilitate the highly environmentally destructive process of hydraulic fracturing; (c) supports continued dependency on energy powered by fossil fuels which we all know is contributing to the already devastating effects of climate change; (d) will destroy the property, property values, peace of mind and chosen way of life, and the dream and happiness of thousands of people in its path. <i>Be mindful that it is not those who uphold the status quo who have changed the world for the better</i> , but those who have dared to stand against established power, who have made a positive difference in their worlds in particular and the world in general. Had the freedom fighters of the American Revolution refused to go against the grain of the British Empire, you would not be here today enjoying your well-paid jobs and other advantages made possible by citizenship in the USA. <i>It is men and women of conscience who restore faith in humanity and in any government which labels itself "democratic."</i> I prevail upon you, after seriously considering the volume of information that has been made available to you by concerned citizens, not Big Oil and Gas companies numbed by their own greed or short-sighted politicians whose palms are greased by these
IND513-2	
IND513-3	
IND513-4	

IND513-1	See the response to comment LA7-5 regarding need.
IND513-2	See the response to comments LA1-4 and FA4-45 regarding hydraulic fracturing.
IND513-3	Section 3.1.2.3 of the EIS provides a discussion of renewable energy. See the response to comment SA6-1 regarding climate change.
IND513-4	See the response to comment LA5-3 regarding property values, insurance, and mortgages. The commentor's statements regarding the proposed projects are noted.

INDIVIDUALS

IND513 – Teresa Winchester (cont’d)

20140407-5264 FERC PDF (Unofficial) 4/7/2014 1:23:51 PM

IND513-4  
cont'd

same companies, to withdraw the DEIS and take no further action on this application until all of the questions raised in the scoping comments are addressed.

Teresa Winchester  
465 Chicken Farm Road  
Otego, NY 13825

# INDIVIDUALS

## IND514 – Allegra Schecter

Allegra Schecter  
211 Adair Rd  
Cherry Valley, NY 13320

April 6, 2014

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426  
Re: Docket Nos. CP13-499 and CP13-502

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3rd Floor  
Watervliet, New York 12189-4000  
Re: NAN-2012-00449-UBR

Dear Secretary Bose and Army Corps of Engineers;

IND514-1 The draft EIS says that pipeline easements have no significant impacts on real estate values. We know here in upstate NY first hand, that is not true, by how hard it has been to sell our homes when there is just the potential for a pipeline coming on the property. Now please take it one step further, when you do your build-out analysis on drilling for natural gas, as requested by the DEC in the revised EIS. When there is a fracked well on or near your property, your home's real estate value drastically decreases. This must be taken into account when determining whether or not the Constitution Pipeline will have a significant effect on real estate values, as this pipeline is likely to bring fracking to the contiguous areas.

IND514-2

Here is some data that shows what happens to a homeowner's property value when there is hydraulic fracturing going on nearby.

**The Boulder Weekly**  
**Thursday, December 12, 2013**  
**By Joel Dyer**

The New York State Bar Association calls it the "perfect storm begging for immediate attention." For homeowners who have been caught in the storm, it is an unmitigated economic disaster. But for the oil and gas industry at the center of it all, it is just the latest potential roadblock threatening to derail its plans to quickly drill up our nation's natural gas reserves before changing laws and growing negative public sentiment permanently alter the prospect for doing so.

The "perfect storm" that is keeping the lawyers up at night is the realization that the current oil and gas boom, which has been aggressively marketed as an economic windfall for the U.S. by both the industry and politicians whose cash-strapped regions are desperate for new sources of revenue, may, in fact, be something far different.

IND514-1 See the response to comments LA1-4 and FA4-45 regarding hydraulic fracturing.

IND514-2 See the response to comment LA5-3 regarding property values, insurance, and mortgages. We note that the commentor's quoted article refers to property values as related to nearby drilling and hydraulic fracturing. The Constitution pipeline would do neither.

S-1925

# INDIVIDUALS

## IND514 – Allegra Schecter (cont'd)

IND514-2 cont'd	<p><b>New research indicates that many of the 15.3 million Americans living within a mile of a hydraulically fractured well that's been drilled since 2000 may have lost or be in the process of losing a good portion of their wealth as a result of this drilling activity.</b></p> <p>So just how big of a loss are we talking about cumulatively? If the research is correct, it's billions upon billions of dollars. As a matter of perspective, recent research indicates that drilling wells within just one mid-size community such as Longmont could, in a worst-case scenario, trigger a drop in home values of more than 15 percent. And a 15 percent drop in Longmont real estate values, a town with a population of only 88,000, would equal somewhere around a \$1.2 billion loss.</p> <p>The losses of those living near wells is due to the diminishing values of their homes and property as a result of the fact that an increasing number of buyers have become hesitant to purchase real estate near fracked wells and their accompanying industrial production platforms. It also doesn't help that fracking/oil and gas shale development is also threatening the primary and secondary mortgage markets. No buyer, no sale. No mortgage, no sale. It's that simple.</p> <p>It seems that while most of the nation has been focused on the debate over whether or not fracking poses a risk to the environment and public health, a few curious minds have been researching fracking's impacts on the real estate and mortgage markets. And while the science on fracking's very real potential health dangers is still being collected, studied and debated, it appears that the verdict is in on the controversial extraction practice's impact on what is, for most Americans, their largest single investment, namely, their homes.</p> <p>The fracking/real estate conundrum will not be easily solved. It is not so simple as identifying the fact that most people won't buy a home if it's sited near oil and gas activity that they believe could be harmful to their health or negatively impact future property values. That part of the equation is just common sense and is indirectly linked to the ongoing scientific health debate over fracking.</p> <p>In the real world, housing prices rise and fall with public perception, not with the quality of Haliburton's latest scientific explanation for why its 500 toxic chemicals used in the fracking process won't find their way into your groundwater. Or put another way, industry white papers don't sell houses.</p> <p>For the most part, the real estate market operates on just one principle; if a prospective buyer isn't sure that they will be able to sell a property later for at least what they paid for it today, they won't buy. Real estate buyers correctly understand that the scientific and political arguments that are increasingly being debated around the subject of fracking and increasingly reported in the media are causing apprehension in the real estate market. They know that because of that apprehension, regardless of whether or not it is justified, a growing number of people don't want to live or invest in a property near an existing well or even in an area that could one day end up with a well nearby because some third party owns the mineral rights.</p> <p>Because perception is reality in the real estate market, informed buyers and qualified real estate agents are beginning to steer clear of houses and properties near oil and gas shale plays unless they are at a substantial discount to similar properties that are not threatened by such drilling activity. And if buyers and agents are aware of fracking's impact on real estate values, you can bet that banks are also well aware of their potential exposure when lending money in those same areas.</p>
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# INDIVIDUALS

## IND514 – Allegra Schecter (cont'd)

IND514-2  
cont'd

If housing prices in an area fall because of the fear of fracking, then lenders stop lending in areas where fracking may occur, and when that happens, prices in those areas fall still further. Like many ups and downs within the investment community, it is a chain reaction triggered entirely by perception, but the results are all too real...

A recent study titled "A Review of Hydro-Fracking and its Potential Impacts on Real Estate" which was conducted by the University of Denver's Ron Throupe, a professor in the Daniels College of Business, along with his DU colleague Xue Mao and Robert A. Simons of Cleveland State University, found that the term "fracking" is having an influence on public opinion, and that when it comes to real estate, that influence is likely causing people to not buy or at best pay less for homes near such oil and gas activity.

The study surveyed homeowners in Texas, Alabama and Florida. The homeowners were asked if they would buy a home under certain conditions, which included that "an energy company had bought the rights to inject a pressurized mixture of water, sand and chemicals into a lower groundwater aquifer to recover natural gas under the property they were considering buying."

In Texas, where residents have had a long relationship with the oil and gas industry, only about a quarter of those surveyed said they would be willing to purchase the house. Of those who said they would still purchase the home, the best offers were around 6 percent below what should have been the home's market value.

While just over a third of those surveyed in Alabama and Florida said they would be willing to buy such a home under the set conditions, those still willing to purchase the property discounted the property more heavily than the Texans, claiming that they would only buy if they could pay 15 percent below what should have been market value.

In a recent interview, Throupe told BW that in a county such as Boulder, where the apprehension over fracking is quite high, it is likely that homes near drilling operations could easily lose as much as 20 percent of their value. And he also pointed out that it isn't just the homes adjacent to drilling that are being impacted. For instance, if a well is being drilled and fracked on the edge of a housing addition or within a town, the homes located in close proximity to the well and/or production platform will decrease in value, but so will all the homes within the addition or within a certain distance to the well. This loss in real estate value to homes that can't even be seen from a well site is due to the comparable sales process used during the appraisal process...

The entire article can be read at:

[http://www.boulderweekly.com/article-12047-the-fracking\\_real-estate-conundrum.html](http://www.boulderweekly.com/article-12047-the-fracking_real-estate-conundrum.html)

Thank you, Allegra Schecter

--

**INDIVIDUALS**  
**IND515 – Dianne Sefcik**

Dianne Sefcik, Registered Intervenor  
194 Clickman Rd  
Westerlo, NY 12193

April 7, 2014

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3rd Floor  
Watervliet, New York 12189-4000

Re: Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR

**Comment: The DEIS does not address U.S. geopolitical agendas**

IND515-1 I commented at the first FERC public comment hearing on April 1, 2014.

In the audience behind me orange-shirted men were discussing the annexation of the Ukraine territory of Crimea by Russia. They were excited by the prospect of displacing current Russian exports of (conventional) natural gas to Europe and Scandinavia with U.S. exports of shale gas products.

Later in the hallway, in full view of FERC representatives at the sign-up table, an orange-shirt approached me from behind and put his arm around my shoulders, interrupting the conversation I was having with a friend. I did not know this man and did not give him permission to touch me.

He put his face very close to mine and asked, "Do you know who the largest exporter of natural gas is?" I said nothing.

He then said, "Russia."

He added something about not wanting to get our gas from "them", and made another comment about my FERC testimony and walked away.

Whether these men were coached in geopolitical agendas or were otherwise given incentives to be rude, intrusive, abusive and disrespectful, I do not know, but there was no security in that hallway to observe, let alone, intervene.

FERC did not control that meeting, and it only got worse at subsequent meetings.

At the very least FERC should schedule additional public comment hearings that are managed properly so that people can be heard and can move freely through the buildings and outside spaces without intimidation and physical contact.

IND515-1 See the response to comment CO50-108 regarding the comment meetings. The commentor's request for additional public meetings is noted.

INDIVIDUALS

IND515 – Dianne Sefcik (cont'd)

S-1929

IND515-1 cont'd	Not to do so is evidence of contempt for the landowners and other stakeholders whose lives, homes, properties, farms and enjoyment of our environment and rural way of life is in jeopardy.
IND515-2	<p>TABLE 4.8.3-1 in the DEIS "Residences and Other Structures Within 50 feet of the Construction Work Area for the Constitution Pipeline Project"<sup>1</sup> is heartbreaking. The homes, barns, sheds, stables, and other structures that people have put there to serve and enhance their lives are of value to them in ways that cannot be compensated for with money. Having a cup of coffee in the morning and enjoying the view, watching your children get on the schoolbus, tending your garden, animals and crops. Extrapolate beyond 50 feet and how many more lives, homes, buildings are there that are not even mentioned?</p> <p>Seventy percent of directly impacted landowners do not want this pipeline. That exceeds a 2/3 super-majority as practised by both legislative houses of our federal government.</p> <p>How then, can this project be justified? How can public trust be respected and sustained?</p>
IND515-3	<p>Is it possible that the U.S. government and it's agencies have undisclosed conflicts of interest that compromise the fair and transparent consideration of this application?</p> <p>FERC is the agent of the federal government in this process. Full disclosure would identify stakeholders who would profit from exporting this finite and non-renewable national resource, as well as identifying stakeholders with incentives to advance geopolitical agendas</p> <p>It would seem that the influence of such stakeholders obliterates the rights of ordinary people to the peaceful enjoyment of our lives.</p> <p>I urge FERC to reject this DEIS and insist on a complete, independent and honest document that serves all the stakeholders, and most especially the landowners. They have the most to lose.</p> <p>Sincerely,</p> <p>Dianne Sefcik</p>

1

Page 4-117 *Land Use And Visual Resources*

2

IND515-2	The commentor's statement regarding proximity to residences is noted. See the response to comment IND292-8 regarding setback distances.
IND515-3	The FERC staff conducts independent analyses of the proposed projects and discloses its findings through NEPA in the form of an EIS (for these projects). After the NEPA process has been completed, the Commissioners at the FERC, who are appointed by the President, decide whether or not to approve the projects.



# INDIVIDUALS

## IND516 – Linda Bevilacqua

20140407-5273 FERC PDF (Unofficial) 4/7/2014 2:01:39 PM

IND516-1 Linda Bevilacqua, Franklin, NY.  
I am writing to demand an explanation from FERC why the public meetings about the DEIS were allowed to be conducted in the matter that they were. I am referring to the March 31-Cobleskill-Richmondville High School, April 1-Oneonta High School, April 2-Afton High School, and April 3-Blue Ridge High School hearings, in which Union members from other areas were bused in (with a promise of a free t-shirt, hat, and 2 dinner tickets), and were allowed by the FERC staff to harass and bully speakers. Although FERC did give some warnings, they never followed through on closing the meeting because of disruptiveness. Police officers in the audience were directed by FERC to escort speakers away from the podium after they had gone over their allotted speaking time, yet FERC never instructed these officers to attend to the unruly audience. I saw many people leave the hearing because they were disgusted because of the rowdiness. When I asked the officers why they were not attending to the disrespectful audience in Afton, NY, they told me that it was their constitutional right to behave in such manner. Article 1.28.020, in regard to laws of public meetings, contradicts their statements. I would hope that a government agency, such as FERC, would be very familiar with these laws. Thank you, Linda Bevilacqua

IND516-1 See the response to comment CO50-108 regarding the comment meetings.

# INDIVIDUALS

## IND517 – Bob Rosen

Bob Rosen  
351 Dickmann Rd  
East Meredith, NY 13757

April 7, 2014

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3rd Floor  
Watervliet, New York 12189-4000

Intervenor Comment on DEIS, Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR

IND517-1 In a letter sent to FERC on 9/25/2013, the senior counsel of the NYS Department of Environmental Conservation officially requested that "Constitution thoroughly analyze alternative routes that predominantly use existing utility corridors and rights-of-way (ROW, including road and railroad ROW) for all or most of the proposed pipeline route in New York."

In its 64-page analysis of "alternatives" in the draft EIS (20140212-4002(29131804).pdf), FERC devotes a total of 6 pages of text to the issue of colocation along existing pipeline rights-of-way. The text is accompanied by 6 route maps. FERC identifies 4 existing interstate pipelines as possible colocation routes:



- Transco Leidy [dark blue];
- TGP 300 Line [orange];
- Millennium Pipeline Company, LLC (Millennium) [light blue];
- Dominion Transmission, Inc. (Dominion) [green].

IND517-1 See the response to comment CO43-17 regarding alternatives. A project within New York City would result in greater impacts than the proposed project. The purpose of the alternatives section is not to compare the proposed projects to projects with different purposes and needs but to compare it to alternatives that could meet the same goals.

# INDIVIDUALS

## IND517 – Bob Rosen (cont'd)

IND517-1  
cont'd

FERC then proceeds to dismiss each of these alternatives in less than a page. It doesn't even bother with any kind of cost analysis. Here is FERC's concluding paragraph on the TGP 300 alternative:

"Constitution estimated that installation of between 142 and 260 miles of mostly looped 30-inch diameter pipeline and substantial new compression would be required for the TGP system alternative. We have reviewed this information and conclude that the required new facilities would likely result in land disturbance and environmental impacts greater than the impacts of the proposed projects due to the greater total length of new pipeline facilities and the need for additional new or modified compressor station facilities with at least 8 times the amount of compression required for the proposed project. Therefore, we do not consider use of the TGP system alternative as preferable to the proposed projects."

The reason for FERC's rejection? A single determining factor: "the greater total length of new pipeline facilities" and because of that length, the additional "need for new or modified compressor station facilities."

Here is the map on page 17 that accompanies FERC's "analysis":



All of these roundabout westward colocation configurations are based on the assumption that the only way the applicant can achieve its stated goal of increasing the supply of natural gas to the NYC region and to other areas in New England is by connecting to the "existing" compressor station at Wright, in the northeast corner of Schoharie County.

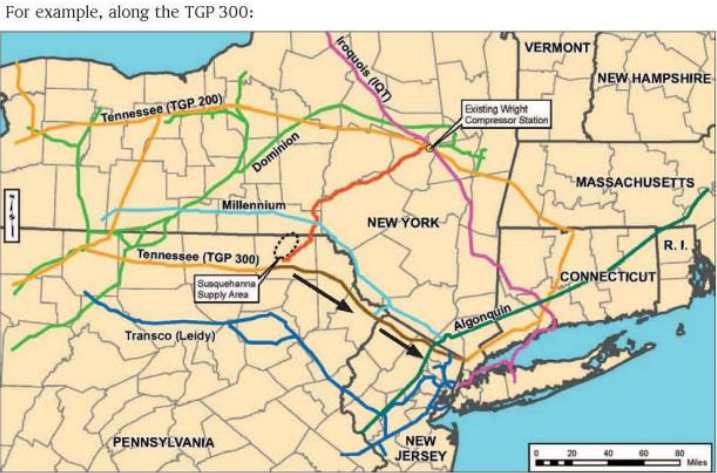
The compressor station at Wright has always been taken for granted by both FERC and the applicant as the *only* possible endpoint, as though Wright were some kind of Rome to which all roads must inevitably lead, because two other interstate pipelines already connect at that point.

What about other possible endpoints that could achieve the project objectives equally well, or even better, by colocation along *shorter* existing routes going east, *towards* the NYC region, and *other* pipeline connections?

INDIVIDUALS

IND517 – Bob Rosen (cont'd)

IND517-1  
cont'd





# INDIVIDUALS

## IND517 – Bob Rosen (cont'd)

IND517-1  
cont'd

Or even along Williams' own Transco line:



Indeed, FERC readily acknowledges these alternative configurations (section 3.2.3.3):

"[W]e also considered system alternatives that would first proceed east along either the TGP 300 Line, Transco Leidy, or Millennium pipelines more directly towards New York City. In theory, natural gas delivered in a more direct pathway to the vicinity of New York City could supply that market demand assuming that the appropriate interconnections for transportation and distribution could be maintained."

And FERC even admits there are other possibilities besides these: "Furthermore, depending upon the amount of natural gas destined for delivery in New England and existing infrastructure servicing the New England area, other options may exist to deliver the required amount of natural gas to that market area as well."

The reason for FERC's rejection of all these alternatives? Once again, a single determining factor: All of them "would be **constrained** by the high level of development within New York City and the surrounding area."

Constrained? By the "high level of development within New York City and the surrounding area"? Just how high is too high? Apparently not so high as when the TGP 300 Line, Transco Leidy, or Millennium pipelines were all constructed with FERC's approval. Suddenly, and without any further need to say why, it's now TOO high and no longer "feasible" to consider these kinds of more direct routes.

But guess what? Williams has recently announced their intention to do just that!

From an article posted online on February 21 at the *Tulsa World* website:

"A proposed expansion on the Transco natural gas pipeline already has nine shippers committed for the full 1.7 million dekatherms of daily transport capacity, Williams Partners LP reported Thursday.

INDIVIDUALS

IND517 – Bob Rosen (cont’d)

IND517-1  
cont'd

“Tulsa-based Williams Partners has lined up 15-year commitments from producers who want to move gas on the proposed Atlantic Sunrise expansion. The \$2.1 billion project, which still needs approval from the company's board and a federal permit, *will include compression and looping on the Transco Leidy line in Pennsylvania.*

“The new pipeline connection will bring natural gas from prolific Marcellus Shale wells into the eastern U.S. markets via the Transco.

“The Atlantic Sunrise is *one of several Transco mainline expansions* that the company is planning to add through 2017. The projects together would increase capacity by 50 percent.”

This begs the obvious question, which needs an answer: If Williams is proposing this kind of colocation, eastward along its own existing pipeline toward the NYC metropolitan area, HOW CAN FERC REJECT THE VERY SAME POSSIBLTY IN THE CURRENT APPLICATION?

Sincerely,  
Bob Rosen  
Registered Intervenor

INDIVIDUALS  
IND518 – Anthony Baroni

S-1936

20140407-5293 FERC PDF (Unofficial) 4/7/2014 2:12:51 PM	
576 Sutton Road New Milford, PA 18834 7 April 2014	
Kimberly D. Bose, Secretary The FERC 888 First Street NE, Room 1A Washington, D.C. 20426	
Re: Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR	
Dear Secretary Bose:	
IND518-1	I made some comments at the last public comment meeting in New Milford last Thursday night (4/3/14). With the four minute limit I did not get to say all I intended to say and left out one particularly important point.  Also, I realized that I seemed to be in a unique category of commenters since I am 1) pro gas development and 2) an effected landowner currently dealing with Constitution's representatives.  I am compelled to make these four points: 1. Constitution is employing heavy-handed, bullying techniques in dealing with landowners due to the fact that this would be a federal project and they would be able to use the Right of Eminent Domain. 2. Constitution's work has been hurried and inaccurate. It needs to be verified. 3. The draft EIS does not itemize how many landowners are adversely affected by signing on to terrible lease agreements due to the bullying tactics, or how many are refusing to sign a lease at all. 4. The pipeline will provide the opportunities to send our gas overseas; this will not benefit United States citizens.
IND518-2	
IND518-3	
IND518-4	
IND518-5	I have not enjoyed dealing with Constitution. They have taken a very heavy-handed approach to this project. I was told in the first offer I received from them that because this is a Federal Project, they would have Right of Eminent Domain so they could take my land whether I liked it or not, and if I wanted to negotiate with them (rather than just sign the documents they sent) it would be to my disadvantage as this was their best offer.  This offer was for a Right Of Way that would parallel the existing Bluestone Pipeline on my property. Here are some of the points they had detailed in their offer that I found objectionable:  1. The offer was \$14,000 (roughly). I had been paid \$26,000 (roughly) for selling the right of way to the Bluestone Pipeline a year earlier.  2. They'd pay me for timber loss only if the timber was established for commercial harvesting. Well, the timber they would cut on my property was not for commercial harvesting – it had been treated as if it were though, I had performed Timber Stand Improvements on that very section of my forest, but it is for personal use, not commercial. (I own a hobby sawmill.)  3. They could access the right of way from anywhere on my property. This was a particular sore point for me as my driveway and a farm road provide the only reasonable access and damage had occurred two years prior when I allowed some surveyors to use that access.

IND518-1	The commentor's statements regarding bullying by Constitution are noted. See the response to comment FA8-3 regarding eminent domain.
IND518-2	See the response to comment CO39-3.
IND518-3	The commentor's statements regarding the draft EIS is noted. See the response to comment CO50-22 regarding signed easements.
IND518-4	See the response to comment LA7-5 regarding export.
IND518-5	See the response to comment FA8-3 regarding easement negotiations. See the response to comment IND518-3.

# INDIVIDUALS

## IND518 – Anthony Baroni (cont’d)

S-1937

20140407-5293 FERC PDF (Unofficial) 4/7/2014 2:12:51 PM	
IND518-5 cont'd	<p>4. The contract had a paragraph stating that any damage that occurs shall be deemed already paid for in the purchase of the Right of Way!</p> <p>They are rude: Three times representatives made appointments to visit me, then did not show, did not call, and only once apologized.</p> <p>Each time I do talk to a representative, I am reminded that I had better just play along because this is a Federal Project and they'll come through my property using Right of Eminent Domain!</p> <p>Here's an important point I couldn't make Thursday night: In the draft EIS there are appendices itemizing wetlands, slopes, and such. But there is no appendix itemizing properties they are planning to come through where landowners are not agreeable. This should be a part of the EIS. After all, we residents are also part of the environment being disturbed.</p>
IND518-6	<p>I am very concerned that what is written in the DEIS is not accurate. Who checks this? Is it up to us landowners? I've found two very basic errors in the maps concerning my property, and we are only talking about a 750 right of way! One, the overall county map showed the pipeline not even going through my property, in conflict with the detailed map. The other, showed the Bluestone pipeline, which the Constitution will supposedly cross on my property, going in a direction 90 degrees from its actual direction. These gross errors I have pointed out and they have been subsequently corrected. But this ain't my job!</p> <p>I have formed the opinion that their work is hurried and sloppy. FERC should double check every detail.</p>
IND518-7	<p>I spoke to two representatives a couple of weeks ago, asked why they don't reroute the line to go where the overall county map (which was wrong) showed it would go; it would miss a lot of wetland and at least one disagreeable landowner - me. Their response: Oh, it's too late for that now; we're too far along to change that!</p> <p>The DEIS only briefly mentions in the introduction (paragraph 1.1, PROJECT PURPOSE AND NEED ) the ultimate reason for this pipeline:</p> <p>"According to Constitution, the proposed pipeline project was developed in response to market demands in New York and the New England area, <b>and due to interest from shippers</b> that require transportation capacity from Susquehanna County, Pennsylvania to the existing Tennessee Gas Pipeline Company LLC (TGP) systems in Schoharie County, New York." Emphasis mine.</p> <p>So it is not just a suspicion that they want to ship this resource overseas to widen the market and thus drive up the price. And profits.</p> <p>If FERC is to act in the best interest of the citizens of the United States, this project should be denied on that basis alone.</p> <p>Respectfully,</p> <p>R. Anthony Baroni</p>

IND518-6	The commentator's statements regarding maps provided by Constitution are noted. See the response to comment IND518-2.
IND518-7	See the response to comment LA7-5 regarding export. As discussed in section 1.1 of the EIS, the shippers want to ship the gas from Susquehanna County, Pennsylvania to Wright, New York. The commentator's request to deny the proposed projects is noted.



# INDIVIDUALS

## IND519 – Dave Elder

20140407-5313 FERC PDF (Unofficial) 4/7/2014 3:02:46 PM	
IND519-1	Dave Elder, Vestal, NY. There is no Pubic Necessity for the proposed Constitution Pipeline, and if constructed it will surely create inconvenience for the majority of the public that would be affected by it, particularly those living close to it. The purpose of this project would be to allow the companies already drilling for natural gas in Pennsylvania, and who would like to also do so in New York State, to ship their product to places where they can get a higher price for it. In so doing, these companies would not reimburse a single penny of their increased profits to the people living along this line, who would run the increasing risk of explosions and fires that are occurring much more frequently along natural gas pipelines in recent years. Much higher levels of air and water pollution result from encouraging the extreme fossil fuel extraction methods presently used by the oil and gas industry, to the point where, as a recent scientific study has found, during the winter months harmful ambient air pollutants in rural Utah near the gas and oil fields in the Uinta Basin reach levels from 10 to 100 times higher than in urban areas. The Public Interest, and Public Convenience, will be much better served by not allowing this project to go forward.
IND519-2	
IND519-3	

IND519-1	See the response to comment LA7-5 regarding need and export.
IND519-2	See the response to comment IND13-3 regarding safety.
IND519-3	We assume the commentor is referring to hydraulic fracturing. See the response to comment LA1-4 and FA4-45 regarding hydraulic fracturing.

# INDIVIDUALS

## IND520 – Thomas Gorman

Thomas Gorman  
476 Poplar Hill Road  
Unadilla, NY 13849

04.06.14

Kimberly D. Bose, Secretary  
The FERC  
888 First Street NE, Room 1A  
Washington, D.C. 20426

US Army Corps of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3rd Floor  
Watervliet, New York 12189-4000

Re: Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR

### SECTION 3.0 NO-ACTION ALTERNATIVES

IND520-1 Nowhere in the DEIS in the *project objectives* indicated by Constitution is financial gain for Williams Cabot, et al and their partners and investors mentioned. While financial gain for the company, its partners and shareholders is in fact the single most important objective of the project, instead Constitution provide public relations and sales-pitch points about how the project will provide service to allegedly un- and under-served 'markets', enhance system flexibility, etc.

The key criteria FERC 'established' to evaluate potential alternatives are dubious.

"Demand for natural gas is expected to grow by 5% between 2009 and 2020"  
NY State Energy Planning Board

The planning board's projections of demand increase are based on assumptions of economic growth that have not been borne out in the years since the report, and given the current economic trends are not likely to be borne out. Their assumptions also do not take into consideration the mounting detrimental effects on climate resulting from continued fossil-fuel burning and how that will increasingly damage the local, national and global economy and security. This damage to the economy is likely to create significant energy demand destruction.

IND520-2 "We determined that all of the other existing systems in the area of the proposed projects would require significant new facilities, which would result in environmental impacts similar to or greater than the proposed projects. Consequently, there are no practicable system alternatives that are environmentally preferable to Constitution's and Iroquois' projects."

5.1.14 Alternatives (conclusions)

I question the validity of this determination- how exactly was it calculated and made? It defies reason to claim that co-location and/or expansion of existing transmission facilities, using land

IND520-1 Most private companies consider that making a profit is a valid objective. See the response to comment SA6-1 regarding climate change. See the response to comment CO42-41.

IND520-2 Collocation may result in less land acquired through eminent domain; however, environmental impacts must also be evaluated. Vegetation would still be cleared and waterbodies and wetlands crossed in order to collocate with an existing right-of-way. The use of "we" throughout the EIS denotes the FERC staff.

INDIVIDUALS

IND520 – Thomas Gorman (cont'd)

IND520-2  
cont'd

that has already been cleared and compromised would result in similar or greater environmental impacts than the construction of an entirely new pipeline system affecting over 1,800 acres of currently unaffected land. Certainly the expansion of capacity or co-location with existing facilities would result in less socio-political disruption in the form of property seizure.

Again and again in the Conclusions and Recommendations section of the DEIS I read phrases such as 'We evaluated,' 'we assessed,' 'we considered,' 'we analyzed' followed by 'We concluded no alternatives would be preferable.....' Yet there is no explanation of how these evaluations, assessments, considerations or analysis were conducted. There are no specific figures substantiating such 'conclusions.' Constitution Pipeline's preference for siting the pipeline as planned is a given, but who's preference is FERC referring to here?

The DEIS, and in particular the 'Alternatives' section, should be rewritten to include an explanation of the process of assessment and considerations and how exactly the stated conclusions were reached.

Sincerely,

Thomas Gorman

# INDIVIDUALS

## IND521 – Andra Leimanis

S-1941

20140407-5324 FERC PDF (Unofficial) 04/07/2014	
This comment was filed twice by the same individual	
Andra Leimanis, LaFayette, NY. Andra Leimanis 2831 LaFayette Road LaFayette, NY 13084	
April 7, 2014	
Kimberly D. Bose, Sec.                      US Army Corps of Engineers The F.E.R.C.                                      New York District, CENAN-OF-R 888 First St. NE, Room 1A                      Upstate Regulatory Field Office Washington, DC 20426                          1 Buffington St. Bldg. 10, 3rd Fl. Watervliet, NY 12189-4000	
Re: Docket Nos. CP13-499 and CP13-502; NAN-2012-00449-UBR	
IND521-1	I am an intervener, and I am very concerned that building the Constitution Pipeline will put human lives at risk in return for a limited number of jobs. I
IND521-2	am concerned that New York State agricultural lands will be fragmented and damaged by the pipeline construction and infrastructure that will remain in place after construction. I am concerned that the beautiful countryside of New York State will be permanently altered and become less desirable for tourism, recreation, farming, and residences. Tree removal and digging will destroy
IND521-3	wildlife habitat, create many more edges in former forested swaths, and destabilize soils which are then subject to erosion. This area is known for sudden stream flooding and scour; soils washed into the streams will adversely affect fishing areas and stream organisms. The future potential uses of the lands and waters along the pipeline route will be permanently limited. Building the pipeline would impose costs on the surrounding landowners and visitors to the area, and these costs have not been adequately expressed.
IND521-4	The 30-inch, 124 mile Constitution Pipeline will bisect forests, agricultural communities, and residential communities. Gas pipelines corrode, leak and
IND521-5	explode and endanger life. Gas pipeline construction will lead to more unconventional gas extraction. Proximity to gas wells and other gas
IND521-6	infrastructure, such as compressor stations, causes health problems. Gas well installation and operation causes pollution. Thus the pipeline will both directly and indirectly endanger life. Please consider some examples of gas infrastructure endangering and extinguishing lives from the past two months:
April 5, 2014: 12 inch gas line in Marshall County, WV explodes. March 31/April 1, 2014: Plymouth, WA: explosion at an LNG facility seriously burns one worker, injures four others, forces evacuation of 400 residents and agricultural workers within a two-mile radius of the facility. River, highway and train traffic was interrupted in the area because of explosion risk. March 22, 2014: Lancaster County, South Carolina March 14, 2014: Brooke County, WV; home explodes due to gas leak; girl dies; debris field scattered 500ft. March 12, 2014: NYC, East Harlem gas explosion.; two buildings collapse; at least 8 deaths; dozens of people injured. From <a href="http://www.naturalgaswatch.org/?p=2983">http://www.naturalgaswatch.org/?p=2983</a> "the latest incident in what experts warn is a dangerous trend plaguing the nation's oldest cities: natural gas leaks and aging infrastructure." "Gas explosions are happening way too frequently," said Mark McDonald, president of Boston-based NatGas Consulting and the New England Gas Workers Association. "It's an epidemic."	

IND521-1	See the response to comment IND13-3 regarding safety.
IND521-2	See the response to comment IND297-3 regarding agricultural lands.
IND521-3	See the response to comments CO1-4 and IND169-1 regarding erosion and stormwater runoff. See the response to comments CO1-5 and IND113-1 regarding flooding.
IND521-4	See the response to comment CO1-2. See the response to comment IND496-7 regarding corrosion protection. Section 4.12 of the EIS provides a discussion regarding pipeline leaks.
IND521-5	See the response to comment IND13-3 regarding safety.
IND521-6	See the response to comments LA1-4 and FA4-45 regarding hydraulic fracturing. The commentor's opposition to the proposed projects is noted.

INDIVIDUALS

IND521 – Andra Leimanis (cont’d)

20140407-5324 FERC PDF (Unofficial) 04/07/2014

IND521-6 cont'd

March 11, 2014: Ewing, New Jersey: one person killed, seven people hospitalized, and scores of housing units destroyed or damaged; repair crew had struck and damaged a gas line.  
March 3, 2014: gas explosion levels a home in Carmel, CA.  
Feb 20, 2014: Baltimore, MD: row house explodes and burns, kills 8 year old boy who was walking home from school.  
Feb. 11, 2014: gas well explosion followed by two fires in Greene County, PA.  
Many more examples can be found at: <http://www.naturalgaswatch.org/?m=201403>

Gas extraction, storage, compression, liquifecation, transportation, and use ALL pose environmental and health threats to people. They pose property threats to homeowners and landowners, towns, cities, and counties. Building the Constitution Pipeline would put many communities in danger, fragment neighborhoods, fragment forests, and fragment agricultural fields in order to bring unconventional shale gas from Pennsylvania through New York State. Unconventional shale gas extraction is already harming people, animals, and the environment in Pennsylvania, and building the Constitution Pipeline would increase that harm.

Building the pipeline and associated infrastructure would also provide a path for unconventional shale gas extraction to make its way into New York State, where it currently is not allowed due to ongoing health risk assessments and other considerations. If the pipeline were to be built, as Pennsylvania shale gas wells become less and less productive, gas companies will want to keep the flow of gas going so that the infrastructure does not stand idle. Unfortunately New York communities are also located on top of shale, and building the pipeline will put them in danger of being exploited in the same manner that communities in Pennsylvania have been exploited since 2005.

Revisit the DEIS. Consider the items of concern that the DEIS lacks. Do not damage New York communities by imposing pipeline infrastructure and a pathway to unconventional shale gas extraction on them.

Sincerely,

Andra Leimanis

S-1942

# INDIVIDUALS

## IND522 – Florence Carnahan

20140407-5330 FERC PDF (Unofficial) 4/7/2014 3:43:35 PM

IND522-1

Florence Carnahan, Burlington Flats, NY.

Please accept the following comments from Concerned Burlington Neighbors on the Draft Environmental Impact Statement (DEIS) for the proposed Constitution Pipeline.

Concerned Burlington Neighbors is a local group of about 20 active residents and property owners in and around the town of Burlington in Otsego County representing more than 300 residents who have responded to three separate surveys done in our town since 2007. Each of those surveys has had the support of between 51% and 61% of our town residents stating that among other things, they are against horizontal hydraulic fracturing. We see shale gas extraction and pipelines as being connected. Without the fracking for natural gas there is no reason to have pipelines. Pipelines are simply the vehicle used to get the gas from one place to another. Conversely if a large pipeline like the Constitution is permitted there will be more drilling to ensure the pipeline is used to capacity.

One of the stated goals of our comprehensive plan is to "protect and preserve the natural, historic, and cultural resources of the Town of Burlington. Efforts are needed to maintain existing rural character, open space and farmland, to limit the impacts of gas drilling, large scale energy development and high density housing development, to protect our significant wildlife resources including game and rare species, and to protect significant natural habitats including local creeks."

If shale gas extraction, with all its ancillary activities, is permitted within our town borders we will be giving up the vision we have of our town. There is nothing in the DEIS that will protect town's such as ours from impacts of this kind. Much of the information in the DEIS has been supplied by the industry that proposes the pipeline through our neighboring communities in the counties of Schoharie, Delaware and Chenango. Should the Constitution Pipeline be permitted, rural life in our area will be changed forever. Once Constitution goes through we will not be able to go back and recover our quality of life.

As one respondent stated in the comment section of our town comprehensive plan: "Preserving the rural atmosphere is the highest priority. It is why we live here." Burlington has always been an agricultural community. Our residents rely on clean water and air for livestock and crops. Our forests provide maples for syrup as well as protected places for deer to forage and for hunters. Our creeks provide fish and recreation opportunities. Residents use the fields for winter recreation. There is much promise throughout Otsego County of bringing back old farms with new ideas. This is a time of hope and possibility in Otsego County and not the time to impose industrial development.

The DEIS has stated that the Constitution's corridor will not be affected by the pipelines. We reference the summary provided by Otsego 2000 in its comments (see letter dated April 4, 2014, Section II (A), The DEIS Improperly Dismisses Foreseeable Shale Gas Development in New York State). While we are not directly affected by the Constitution Pipeline coming through Burlington, we will certainly be affected by the ancillary activities and the possibility of extraction and gathering lines that go along with it in closer proximity to our town. We will also be affected because we travel through and shop in the areas to be bisected by the pipeline.

Please consider our plight. We are one of many small towns that will experience the pipeline even though it will not travel directly through Otsego County. We are not protected by our distance from the projected route.

Thank you for your consideration.

Concerned Burlington Neighbors  
Florence Carnahan, co-founder

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See the response to comments LA1-4 and FA4-45 regarding hydraulic fracturing. The commentator's opposition to the proposed projects is noted.